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WHO IS THE AUTHOR OF THIS BOOK?

In the book JAN CHRISTIAN SMUTS BY HIS SON J.C. SMUTS (1952) it is stated that this book “A Century of Wrong” was written by JC Smuts and published by FW Reitz. The quotation reads;

"There now appeared a Boer manifesto entitled Century of Wrong. It was an exhortation to the people on the eve of battle, listing the wrongs perpetrated by the British in South Africa during the past hundred years. It was written by my father in High Dutch, from facts he and Jimmie Roos had collected. The language was said by experts to be superb Netherlands and it abounded in classical idiom. My mother translated it into English. As the manifesto appeared over no name and as it was published by State Secretary Reitz, he was at first thought to be the author.

It is said that in after years my father was ashamed of this hot-headed little manifesto. That is not so, for how can exception be taken to it if the purpose of this document is taken into account. True, he never spoke about it, but that was because he was sick of the political use that was made of it, and of having its anti-English quotations cast at him. It was simply a shrill, clear bugle-call to the nation, and it is unfair to quote it out of its context or historic setting."

A CENTURY OF WRONG

ISSUED BY

F.W. REITZ

State Secretary of the South African Republic

WITH PREFACE BY
W.T. STEAD

"Audi Alteram Partem"

LONDON:

"REVIEW OF REVIEWS" OFFICE, MOWBRAY HOUSE, NORFOLK STREET, W.C.



FW Reitz : Author
A Century of
Wrong

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PREFACE

"In This Awful Turning Point Of The History Of South Africa, On The Eve Of The Conflict Which Threatens To Exterminate Our People, It Behoves Us To Speak the truth in what may be, perchance, our last message to the world."

Such is the *raison d'etre* of this book. It is issued by State Secretary Reitz as the official exposition of the case of the Boer against the Briton. I regard it as not merely a duty but an honour to be permitted to bring it before the attention of my countrymen.

Rightly or wrongly the British Government has sat in judgment upon the South African Republic, rightly or wrongly it has condemned it to death. And now, before the executioner can carry out the sentence, the accused is entitled to claim the right to speak freely--it may be for the last time--to say why, in his opinion, the sentence should not be executed. A liberty which the English law accords as an unquestioned right to the foulest murderer cannot be denied to the South African Republic. It is on that ground that I have felt bound to afford the spokesman of our Dutch brethren in South Africa the opportunity of stating their case in his own way in the hearing of the Empire.

Despite the diligently propagated legend of a Reptile press fed by Dr. Leyds for the purpose of perverting public opinion, it is indisputable that so far as this country is concerned Mr. Reitz is quite correct in saying that the case of the Transvaal "has been lost by default before the tribunal of public opinion."

It is idle to point, in reply to this, to the statements that have appeared in the press of the Continent. These pleadings were not addressed to the tribunal that was trying the case. In the British press the case of the Transvaal was never presented by any accredited counsel for the defence. Those of us who have in these late months been compelled by the instinct of justice to protest against the campaign of misrepresentation organised for the purpose of destroying the South African Republic were in many cases so far from

authorised exponents of the South African Dutch that some of them--among whom I may be reckoned for one--were regarded with such suspicion that it was most difficult for us to obtain even the most necessary information from the representatives of the Government at Pretoria. Nor was this suspicion without cause--so far at least as I was concerned.

For nearly a quarter of a century it might almost have been contended that I was one of the leading counsel for the prosecution. First as the friend and advocate of the Rev. John Mackenzie, then as the friend and supporter of Mr. Cecil Rhodes, and latterly as the former colleague and upholder of Sir Alfred Milner, it had been my lot constantly, in season and out of season, to defend the cause of the progressive Briton against the Conservative Boer, and especially to advocate the Cause of the Reformers and Uitlanders against the old Tory Administration of President Kruger. By agitation, by pressure, and even, if need be, in the last resort by legitimate insurrection, I had always been ready to seek the establishment of a progressive Liberal Administration in Pretoria. And I have at least the small consolation of knowing that if any of the movements which I defended had succeeded, the present crisis would never have arisen, and the independence of the South African Republic would have been established on an unassailable basis. But with such a record it is obvious that I was almost the last man in the Empire who could be regarded as an authorised exponent of the case of the Boers.

That in these last months I have been forced to protest against the attempt to stifle their independence is due to a very simple cause. To seek to reform the Transvaal, even by the rough and ready means of a legitimate revolution, is one thing. To conspire to stifle the Republic in order to add its territory to the Empire is a very different thing. The difference may be illustrated by an instance in our own history. Several years ago I wrote a popular history of the House of Lords, in which I showed, at least to my own satisfaction, that for fifty years our "pig-headed oligarchs"--to borrow a phrase much in favour with the War Party--had inflicted infinite mischief upon the United Kingdom by the way in which they had abused

their power to thwart the will of the elected representatives of the people. I am firmly of opinion that our hereditary Chamber has done a thousand times more injury to the subjects of the Queen than President Kruger has ever inflicted upon the aggrieved Uitlanders. I look forward with a certain grim satisfaction to assisting, in the near future, in a semi-revolutionary agitation against the Peers, in which some of our most potent arguments will be those which the War Party has employed to inflame public sentiment against the Boers. But, notwithstanding all this, if a conspiracy of Invincibles were to be formed for the purpose of ending the House of Lords by assassinating its members, or by blowing up the Gilded Chamber and all its occupants with dynamite, I should protest against such an outrage as vehemently as I have protested against the more heinous crime that is now in course of perpetration in South Africa. And the very vehemence with which I had in times past pleaded the cause of the People against the Peers would intensify the earnestness with which I would endeavour to avert the exploitation of a legitimate desire to end the Second Chamber by the unscrupulous conspirators of assassination and of dynamite. Hence it is that I seize every opportunity afforded me of enabling the doomed Dutch to plead their case before the tribunal which has condemned them, virtually unheard.

In introducing *A Century of Wrong* to the British public, I carefully disassociate myself from assuming any responsibility for all or any of the statements which it contains. My *imprimatur* was not sought, nor is it extended to the history contained in *A Century of Wrong*, excepting in so far as relates to its authenticity as an exposition of what our brothers the Boers think of the way in which we have dealt with them for the last hundred years.

That is much more important than the endorsement by any Englishman as to the historical accuracy of the statements which it contains. For what every judicial tribunal desires, first of all, is to hear witnesses at first hand. Hitherto the British public has chiefly been condemned to second-hand testimony. In the pages

of *A Century of Wrong* it will, at least, have an opportunity of hearing the Dutch of South Africa speak for themselves.

There is no question as to the qualifications of Mr. F.W. Reitz to speak on behalf of the Dutch Africander. Although at this moment State Secretary for President Kruger, he was for nearly ten years Chief Justice and then President of the Orange Free State, and he began his life in the Cape Colony. The family is of German origin, but his ancestors migrated to Holland in the seventeenth century and became Dutch. His grandfather emigrated from Holland to the Cape, and founded one of the Africander families. His father was a sheep farmer; one of his uncles was a lieutenant in the British Navy.

Mr. Reitz is now in his fifty-sixth year, and received a good English education. After graduating at the South African College he came to the United Kingdom, and finished his studies at Edinburgh University, and afterwards at the Inner Temple, where he was called to the Bar in 1868. He then returned to the Cape, and, after practising as a barrister in the Cape courts for six years, was appointed Chief Justice of the Orange Free State, a post which he held for fifteen years. He was then elected and re-elected as President of the Orange Free State. In 1893 he paid a lengthy visit to Europe and to the United Kingdom. After Dr. Leyds was appointed to his present post as foreign representative of the South African Republic, Mr. Reitz was appointed State Secretary, and all the negotiations between the Transvaal and Great Britain passed through his hands.

Mr. Reitz's narrative is not one calculated to minister to our national self-conceit, but it is none the worse on that account. Of those who minister to our vanity we have enough and to spare, with results not altogether desirable. In the long controversy between the Boers and the missionaries Mr. Reitz takes, as might be expected, the view of his own people.

An English lady in South Africa writing to the *British Weekly* of December 21st, in reply to the statement of the Rev. Dr. Stewart, makes some observations on this feud between the Boers and the missionaries, which it may be well to bear in mind in discussing this question. The lady ("I.M.") says:--

> Dr. Stewart naturally starts from the mission question. I speak as the daughter of one of the greatest mission supporters that South Africa has ever known when I say that the earliest missionaries who came to this country were to a very large extent themselves the cause of all the Boer opposition which they may have had to encounter. When they arrived, they found the Boers at about the same stage of enlightenment with regard to missions as the English themselves had been in the time of Carey. And yet, in spite of prejudice and ignorance, every Boer of any standing was practically doing mission work himself, for when, according to unfailing custom, the "Books" were brought out morning and evening for family worship, the slaves were never allowed to be absent, but had to come and receive instruction with the rest of the family. But the tone and methods which the missionaries adopted were such as could not fail to arouse the aversion of the farmers, their great idea being that the coloured races, utter savages as yet, should be placed upon complete equality with their superiors. At Earl's Court we have recently seen something of how easily the natives are spoilt, and they were certainly not better in those days. When, however, the Boers showed that theydisapproved of all this, the natives were immediately taught to regard them as their oppressors, and were encouraged to insubordination to their masters, and the ill-effects of this policy on the part of the missionaries has reached further than can be told. May I ask was this the tone that St. Paul adopted in his mission work among the oppressed slaves of his day?... It is not those who do *not* know the Boers, like Dr. Stewart, but those who know them best, like Dr. Andrew Murray, who are not only enamoured of their simple lives, but who know also that with all

> their disadvantages and their positive faults they are still a people whose rule of life is the Bible, whose God is the God of Israel, and who as a nation have never swerved from the covenant with that God entered into by their fathers, the Huguenots of France and the heroes of the Netherlands.

Upon this phase of the controversy there is no necessity to dwell at present, beyond remarking that those who are at present most disposed to take up what may be regarded as the missionary side should not forget that they are preparing a rod for their own backs. The Aborigines Protection Society has long had a quarrel with the Boers, but if our Imperialists are going to adopt the platform of Exeter Hall they will very soon find themselves in serious disagreement with Mr. Cecil Rhodes and other Imperialist heroes of the hour. That the Dutch in South Africa have treated the blacks as the English in other colonies have treated the aborigines is probably true, despite all that Mr. Reitz can say on their behalf. But, whereas in Tasmania and the Australian Colonies the black fellows are exterminated by the advancing Briton, the immediate result of the advent of the Dutch into the Transvaal has been to increase the number of natives from 70,000 to 700,000, without including those who were attracted by the gold mines. In dealing with native races all white men have the pride of their colour and the arrogance of power. The Boers, no doubt, have many sins lying at their door, but it does not do for the pot to call the kettle black, and so far as South Africa is concerned, the difference between the Dutch and British attitudes toward the native races is more due to the influence of Exeter Hall and the sentiment which it represents than to any practical difference between English and Dutch Colonists as to the status of the coloured man. The English under Exeter Hall have undoubtedly a higher ideal as to the theoretical equality of men of all races; but on the spot the arrogance of colour is often asserted as offensively by the Briton as by the Boer. The difference between the two is, in short, that the Boer has adjusted his practice to his belief, whereas we believe what we do not practice. That the black population of the Transvaal is conscious of being treated with

exceeding brutality by the Boers is disproved by the fact that for months past all the women and children of the two Republics have been left at the absolute mercy of the natives in the midst of whom they live.

The English reader will naturally turn with more interest to Mr. Reitz's narrative of recent negotiations than to his observations upon the hundred years of history which he says have taught the Dutch that there is no justice to be looked for at the hands of a British Government. The advocates of the war will be delighted to find that Mr. Reitz asserts in the most uncompromising terms the right of the Transvaal to be regarded as an Independent Sovereign International State. However unpleasant this may be to Downing Street, the war has compelled the Government to recognise the fact. When it began we were haughtily told that there would be no declaration of war, nor would the Republics be recognised as belligerents. The war had not lasted a month before this vainglorious boast was falsified, and we were compelled to recognise the Transvaal as a belligerent State. It is almost incredible that even Sir William Harcourt should have fallen into the snare set for him by Mr. Chamberlain in this matter. The contention that the Transvaal cannot be an Independent Sovereign State because Article 4 of the Convention of 1884 required that all treaties with foreign Powers should be submitted for assent to England may afford a technical plea for assuming that it was not an Independent Sovereign International State. But, as Mr. Reitz points out, no one questions the fact that Belgium is an International Independent Sovereign State, although the exercise of her sovereignty is limited by an international obligation to maintain neutrality. A still stronger instance as proving the fact that the status of a sovereign State is not affected by the limitation of the exercise of its sovereignty is afforded by the limitation imposed by the Treaty of Paris on the sovereign right of the Russian Empire to maintain a fleet in the Black Sea. To forbid the Tsar to put an ironclad on the sea which washes his southern coast was a far more drastic limitation of the inalienable rights of an Independent International Sovereign State than the provision that treaties affecting the interests of another Power should be subject to the veto of that Power, but no one has protested that

Russia has lost her international status on account of the limitation imposed by the Treaty of Paris. In like manner Mr. Reitz argues that the Transvaal, being free to conduct its diplomacy, and to make war, can fairly claim to be a Sovereign International State. The assertion of this fact serves as an Ithuriel's spear to bring into clear relief the significance of the revival by Mr. Chamberlain of the Suzerainty of 1881. Upon this point Mr. Reitz gives us a plain straightforward narrative, the justice and accuracy of which will not be denied by anyone who, like Sir Edward Clarke, takes the trouble to read the official dispatches.

I turn with more interest to Mr. Reitz's narrative of the precise differences of opinion which led to the breaking-off of negotiations between the two Governments. Mr. Chamberlain, it will be remembered, said in his dispatch he had accepted nine-tenths of the conditions laid down by the Boers if the five years franchise was to be conceded. What the tenth was which was not accepted Mr. Chamberlain has never told us, excepting that it was "a matter of form" which was "not worth a war." Readers of Mr. Reitz's narrative will see that in the opinion of the Boers the sticking point was the question of suzerainty. If Mr. Chamberlain would have endorsed Sir Alfred Milner's declaration, and have said, as his High Commissioner did, that the question about suzerainty was etymological rather than political, and that he would say no more about it, following Lord Derby's policy and abstaining from using a word which was liable to be misunderstood, there would have been no war. So far as Mr. Reitz's authority goes we are justified in saying that the war was brought about by the persistence of Mr. Chamberlain in reviving the claim of suzerainty which had been expressly surrendered in 1884, and which from 1884 to 1897 had never been asserted by any British Government.

Another point of great importance is the reference which Mr. Reitz makes to the Raid. On this point he speaks with much greater moderation than many English critics of the Government. Lord Loch will be interested in reading Mr. Reitz's account of the way in which his visit to Pretoria was regarded by the Transvaal Government. It shows that it was his visit which first alarmed the Boers, and compelled them to

contemplate the possibility of having to defend their independence with arms. But it was not until after the Jameson Raid that they began arming in earnest. As there is so much controversy upon this subject, it may be well to quote here the figures from the Budget of the Transvaal Government, showing the expenditure before and after the Raid.

	Military.	Public Works.	Special Payments.	Sundry Services.	Total.
	£	£	£	£	£
1889	75,523	300,071	58,737	171,088	605,419
1890	42,999	507,579	58,160	133,701	742,439
1891	117,927	492,094	52,486	76,494	739,001
1892	29,739	361,670	40,276	93,410	528,095
1893	19,340	200,106	148,981	132,132	500,559
1894[1]	28,158	260,962	75,859	163,547	521,526
1895[2]	87,308	353,724	205,335	838,877	1,485,244
1896	495,618	701,022	682,008	128,724	2,007,372
1897	396,384	1,012,686	248,864	135,345	1,793,279
1898[3]	163,451	383,033	157,519	100,874	804,877

[1] Year of Lord Loch's visit (in June) to Pretoria
[2] Conspiracy, culminating in the Raid
[3] First nine months

Of the Raid itself Mr. Reitz speaks as follows:--

> The secret conspiracy of the Capitalists and Jingoes to overthrow the South African Republic began now to gain ground with great rapidity, for just at this critical period Mr. Chamberlain became Secretary of State for the Colonies. In the secret correspondence of the conspirators, reference is continually made to the Colonial Office in a manner which, taken in connection with later revelations and with a successful suppression of the truth, has deepened the impression over the whole world that the Colonial Office was privy to, if not an accomplice in, the villainous attack on the South African Republic.
>
> Nor has the world forgotten how, at the urgent instance of the Africander party in the Cape Colony, an investigation into the causes of the conflict was held in Westminster; how that investigation degenerated into a low attack upon the Government of the deeply maligned and deeply injured South African Republic, and how at the last moment, when the truth was on the point of being revealed, and the conspiracy traced to its fountain head in the British Cabinet, the Commission decided all of a sudden not to make certain compromising documents public.
>
> Here we see to what a depth the old great traditions of British Constitutionalism had sunk under the influence of the ever-increasing and all-absorbing lust of gold, and in the hands of a sharpwitted wholesale dealer, who, like Cleon of old, has constituted himself a statesman.

When Mr. Reitz wrote his book he did not know that immediately after the Raid the British Government began to accumulate information, and to prepare for the war with the Republic which is now in progress. The reason why Mr. Reitz did not refer to this in *A Century of Wrong* was because documents proving its

existence had not fallen into the hands of the Transvaal Government until after the retreat from Glencoe. Major White and his brother officers who were concerned in the Raid were much chaffed for the incredible simplicity with which he allowed a private memorandum as to preparations for the Raid to fall into the hands of the Boers. His indiscretion has been thrown entirely into the shade by the simplicity which allowed War Office documents of the most secret and compromising nature to fall into the hands of the Boers, showing that preparations for the present war began immediately after the defeat of the Raid. The special correspondent of Reuter with the Boers telegraphed from Glencoe on October 28th as follows:--

> The papers captured at Dundee Camp from the British unveil a thoroughly worked out scheme to attack the independence of both Republics as far back as 1896, notwithstanding constant assurances of amity towards the Free State.
>
> Among these papers there are portfolios of military sketches of various routes of invasion from Natal into the Transvaal and Free State, prepared by Major Grant, Captain Melvill, and Captain Gale immediately after the Jameson Raid.
>
> A further portfolio marked secret styled "Reconnaissance Reports of Lines of Advance through the Free State" was prepared by Captain Wolley, on the Intelligence Division of the War Office, in 1897, and is accompanied by a special memorandum, signed by Sir Redvers Buller, to keep it secret.
>
> Besides these there are specially executed maps of the Transvaal and Free State, showing all the natural features, also a further secret Report of Communications in Natal north of Ladysmith, including a memorandum of the road controlling Lang's Nek position.

Further, there is a short Military Report on the Transvaal, printed in India in August last, which was found most interesting. The white population is given at 288,000, of whom the Outlanders number 80,000, and of the Outlanders 30,000 are given as of British descent--which figures the authorities regard as much nearer the truth than Mr. Chamberlain's statements made in the House of Commons.

One report estimates that 4,000 Cape and Natal Colonists would side with the Republics in case of war, and that the small armament of the Transvaal consists of 62,950 rifles, and that the Boers would prove not so mobile or such good marksmen as in the War of Independence.

Further, the British did not think much of the Johannesburg and Pretoria forts.

A further secret Report styled "Military Notes on the Dutch Republics of South Africa," and numbers of other papers, not yet examined, were also found, and are to be forwarded to Pretoria.

The Free State burghers are now more than ever convinced that it was the right policy for them to fight along with the Transvaal, and they say, since they have seen the reports, that they will fight with, if possible, more determination than ever.

It may be contended, no doubt, upon our part that these private reports were none other than those which every Government receives from its military attaches, but it must be admitted that their discovery at the present moment is most inopportune for those who wish to persuade the Free State that they can rely upon the assertions of Great Britain that no design was made upon their independence. If at this moment the portfolios of a German Staff Officer were to fall into the hands of an English correspondent, and detailed plans for invading England were to be published in all the newspapers as having been drawn up by German officers told off for that purpose, it would not altogether tend to reassure us as to the good

intentions of our Imperial neighbour. How much more serious must be the publication of these documents seized at Dundee upon a people which is actually at war.

The concluding chapter of Mr. Reitz's eloquent impeachment of the conduct of Great Britain in South Africa is devoted to a delineation of what he calls Capitalistic Jingoism. It is probable that a great many who will read with scant sympathy his narrative of the grievances of his countrymen in the earlier part, of the century will revel in the invective which he hurls against Mr. Rhodes and the Capitalists of the Rand. If happier times return to South Africa, Mr. Reitz may yet find the mistake he has made in confounding Mr. Rhodes with the mere dividend-earning crew, who brought about this war in order to diminish the cost of crushing gold by five or six shillings a ton. In the realisation of the ideal of Africa for the Africanders Mr. Rhodes might be more helpful to Mr. Reitz and the Dutch of South Africa than any other living man. Whether it is possible for them to forget and forgive the future alone will show. But at present it seems rather as if Mr. Reitz sees nothing between Africanderism and Capitalistic Jingoism but war to the death.

Mr. Reitz breaks off his narrative at the point immediately before the Ultimatum. Those curious politicians who begin their survey of the war from the launching of that declaration will, therefore, find nothing in *A Century of Wrong* to interest them. But those who take a fresh and intelligent view of a long and complicated historical controversy will welcome the authoritative exposition of the causes which, in the opinion of the authors of the Ultimatum, justified, and, indeed, necessitated that decisive step. To what Mr. Reitz has said it is only necessary to add one fact.

The Ultimatum was dated October 9th. It was the natural response to the menace with which the British Government had favoured them three days previous, when on October 6th they issued the formal notice calling out the Reserves for the avowed object of making war upon the South African Republic.

Whether they were right or wrong, it is impossible to withhold a tribute of admiration and sympathy for the little States which confront the onslaughts of their Imperial foe with such heroic fortitude and serene courage. As Dr. Max Nordau remarks in the *North American Review* for December:--

> The fact that a tiny people faces death without hesitation to defend its independence against an enemy fabulously superior in number, or to die in the attempt, presents an aspect of moral beauty which no soul, attuned to higher things, will disregard. Even friends and admirers of England--yea, even the English themselves--strongly sense the pathos in the situation of the Dutch Boers, who feel convinced that they are fighting for their national existence, and agree that it equals the pathos of Leonidas, William Tell, and Kosciusko.

Over and above all else the note in the State Secretary's appeal which will vibrate most loudly in the British heart is that in which he appeals to his countrymen to cling fast to the God of their forefathers, and to the righteousness which is sometimes slow in acting, but which never slumbers or forgets. "It proceeds according to eternal laws, unmoved by human pride and ambition. As the Greek poet of old said, it permits the tyrant, in his boundless self-esteem, to climb higher and higher, and to gain greater honour and might, until he arrives at the appointed height, and then falls down into the infinite depths."

Who is there who remembers the boastings of the British press at the outbreak of the war can read without awe the denunciations of the Hebrew seers against the nations and empires who in arrogance and pride forgot the Lord their God?

"Behold, I am against thee, O thou most proud, saith the Lord God of Hosts: for thy day is come, the time that I will visit thee. And the most proud shall stumble and fall, and none shall raise him up."

This, after all, is the great issue which underlies everything. Is there or is there not in the affairs of men a Providence which the ancients pictured as the slow-footed Nemesis, but which we moderns have

somewhat learned to disregard? "If right and wrong, in this God's world of ours, are linked with higher Powers," is the great question which the devout soul, whether warrior or saint, has ever answered in one way. When in this country a leading exponent of popular Liberalism declares that "morally we can never win, but that physically we must and shall," we begin to realise how necessary is the chastisement which has fallen upon us for our sins. If this interpretation of the situation be even approximately correct, the further we go the worse we shall fare. It is vain for us to kick against the pricks.

W.T. STEAD.
January 1st, 1900

A CENTURY OF WRONG
INTRODUCTION

BROTHER AFRICANDERS!

Once more in the annals of our bloodstained history has the day dawned when we are forced to grasp our weapons in order to resume the struggle for liberty and existence, entrusting our national cause to that Providence which has guided our people throughout South Africa in such a miraculous way.

The struggle of now nearly a century, which began when a foreign rule was forced upon the people of the Cape of Good Hope, hastens to an end; we are approaching the last act in that great drama which is so momentous for all South Africa; we have reached a stage when it will be decided whether the sacrifices which both our fathers and we ourselves have made in the cause of freedom have been offered in vain, whether the blood of our race, with which every part of South Africa has been, as it were, consecrated, has been shed in vain; and whether by the grace of God the last stone will now be built into the edifice which our fathers began with so much toil and so much sorrow.

The alternative of Africanderdom

The hour has struck which will decide whether South Africa, in jealously guarding its liberty, will enter upon a new phase of its history, or whether our existence as a people will come to an end, whether we shall be exterminated in the deadly struggle for that liberty which we have prized above all earthly treasures, and whether South Africa will be dominated by capitalists without conscience, acting in the name and under the protection of an unjust and hated Government 7,000 miles away from here.

The necessity of historical retrospect.

In this hour it behoves us to cast a glance back at the history of this great struggle. We do so not to justify ourselves, because liberty, for which we have sacrificed everything, has justified us and screened our faults and failings, but we do so in order that we may be, as it were, sanctified and

prepared for the conflict which lies before us, bearing in mind what our people have done and suffered by the help of God. In this way we may be enabled to continue the work of our fathers, and possibly to complete it. Their deeds of heroism in adventures with Bantu and Briton shine forth like guiding stars through the history of the past, in order to point out the way for posterity to reach that goal for which our sorely tried people have made such great sacrifices, and for which they have undergone so many vicissitudes.

The historical survey will, moreover, aid in bringing into stronger relief those naked truths to which the tribunal of impartial history will assuredly testify hereafter, in adjudging the case between ourselves and our enemy. And the questions which present themselves for solution in the approaching conflict have their origin deep in the history of the past; it is only by the light of that history that it becomes possible to discern and appreciate the drifting straws which float on the currents of to-day. By its light we are more clearly enabled to comprehend the truth, to which our people appeal as a final justification for embarking upon the war now so close at hand.

History will show convincingly that the pleas of humanity, civilisation, and equal rights, upon which the British Government bases its actions, are nothing else but the recrudescence of that spirit of annexation and plunder which has at all times characterised its dealings with our people.

THE CAPE OF GOOD HOPE

The Cause For Which We Are About To Take Up Arms Is The Same, Though In Somewhat Different Form, As That For Which So Many Of Our Forefathers underwent the most painful experiences centuries ago, when they abandoned house and fatherland to settle at the Cape of Good Hope, to enjoy there that freedom of conscience which was denied them in the land of their birth. In the beautiful valleys lying between the blue mountains of the Cape of Good Hope they planted the seed-germ of liberty,

which sprang up and has since developed with such startling rapidity into the giant tree of to-day--a tree which not only covers a considerable area in this part of the world, but will yet, in God's good time, we feel convinced, stretch out its leafy branches over the whole of South Africa. In spite of the oppressive bonds of the East India Company, the young settlement, containing the noblest blood of old Europe as well as its most exalted aspirations, grew so powerfully that in 1806, when the Colony passed into the hands of England, a strong national sentiment and a spirit of liberty had already been developed.

The Africander spirit of liberty.

As is forcibly expressed in an old document dating from the most renowned period of our history, there grew out of the two stocks of Hollanders and French Huguenots "a united people, one in religion, united in peaceful reverence for the law, but with a feeling of liberty and independence equal to the wide expanse of territory which they had rescued as a labour of love from the wilderness of nature, or from its still wilder aboriginal inhabitants." When the Dutch Government made way for that of Great Britain in 1806, and, still more, when that change was sealed in 1814 by a transaction in which the Prince of Orange sold the Cape to Great Britain for £6,000,000 against the wish and will of the inhabitants, the little settlement entered upon a new phase of its history, a phase, indeed, in which its people were destined by their heroic struggle for justice, to enlist a world-wide sympathy on their behalf.

England's native policy.

Notwithstanding the wild surroundings and the innumerable savage tribes in the background, the young Africander nation had been welded into a white aristocracy, proudly conscious of having maintained its superiority notwithstanding its arduous struggles. It was this sentiment of just pride which the British Government well understood how to wound in its most sensitive part by favouring the natives as against the Africanders. So, for example, the Africander

Boers were forced to look with pained eyes on the scenes of their farms and property devastated by the natives without being in a position to defend themselves, because the British Government had even deprived them of their ammunition. In the same way the liberty-loving Africander burgher was coerced by a police composed of Hottentots, the lowest and most despicable class of the aborigines, whom the Africanders justly placed on a far lower social level than that of their own Malay slaves.

Slachter's Nek.

No wonder that in 1815 a number of the Boers were driven into rebellion, a rebellion which found an awful ending in the horrible occurrence of the 9th of March, 1816, when six of the Boers were half hung up in the most inhuman way in the compulsory presence of their wives and children. Their death was truly horrible, for the gallows broke down before the end came; but they were again hoisted up in the agony of dying, and strangled to death in the murderous tragedy of Slachter's Nek. Whatever opinions have been formed of this occurrence in other respects, it was at Slachter's Nek that the first bloodstained beacon was erected which marks the boundary between Boer and Briton in South Africa, and the eyes of posterity still glance back shudderingly through the long vista of years at that tragedy of horror.

The missionaries.

This was, however, but the beginning. Under the cloak of religion British administration continued to display its hate against our people and nationality, and to conceal its self-seeking aims under cover of the most exalted principles. The aid of religion was invoked to reinforce the policy of oppression in order to deal a deeper and more fatal blow to our self-respect. Emissaries of the London Missionary Society slandered the Boers, and accused them of the most inhuman cruelties to the natives. These libellous stories, endorsed as they were by the British Government, found a ready ear amongst the English, and the result was that under the pressure of powerful philanthropic opinion in

England our unfortunate people were more bitterly persecuted than ever, and were finally compelled to defend themselves in courts of law against the coarsest accusations and insults. But they emerged from the ordeal triumphantly, and the records of the criminal courts of the Cape Colony bear indisputable witness to the fact that there were no people amongst the slave-owning classes of the world more humane than the Africander Boers. Their treatment of the natives was based on the theory that natives ought not to be considered as mature and fully developed people, but that they were in reality children who had to be won over to civilisation by just and rigid discipline; they hold the same convictions on this subject to-day, and the enlightened opinion of the civilised world is inclining more and more to the same conclusion. But the fact that their case was a good one, and that it was triumphantly decided in their favour in the law courts, did not serve to diminish, but rather tended to sharpen, the feeling of injustice with which they had been treated.

Emancipation of the slaves.

A livelier sense of wrong was quickened by the way in which the emancipation of the slaves--in itself an excellent measure--was carried out in the case of the Boers.

Our forefathers had become owners of slaves chiefly imported in English ships and sold to us by Englishmen. The British Government decided to abolish slavery. We had no objection to this, provided we received adequate compensation.[4] Our slaves had been valued by British officials at three millions, but of the twenty millions voted by the Imperial Government for compensation, only one and a quarter millions was destined for South Africa; and this sum was payable in London. It was impossible for us to go there, so we were forced to sell our rights to middlemen and agents for a mere song; and many of our people were so overwhelmed by the difficulties placed in their way that they took no steps

[4] Theal, *History of the Boers*, page 64

whatever to receive their share of the compensation.

Greyheads and widows who had lived in ease and comfort went down poverty-stricken to the grave, and gradually the hard fact was borne in upon us that there was no such thing as Justice for us in England.

Slavery at the Cape.

Froude, the English historian, hits the right nail on the head when he says:--

> [5]"Slavery at the Cape had been rather domestic than predial; the scandals of the West India plantations were unknown among them.
>
> Because the Dutch are a deliberate and slow people, not given to enthusiasm for new ideas, they fell into disgrace with us, where they have ever since remained. The unfavourable impression of them became a tradition of the English Press, and, unfortunately, of the Colonial Office. We had treated them unfairly as well as unwisely, and we never forgive those whom we have injured."

The Glenelg policy.

[6]But this was not all. When the English obtained possession of the Cape Colony by convention, the Fish River formed the eastern boundary. The Kaffirs raided the Colony from time to time, but especially in 1834, when they murdered, plundered, and outraged the helpless Colonists in an awful and almost indescribable manner. The Governor was ultimately prevailed upon to free the strip of territory beyond the Fish River from the raids of the Kaffirs, and this was done by the aid of the Boers. But Lord Glenelg, the Colonial Secretary, reversed this policy and restored the whole territory to the natives. He maligned the Boers in even more forcible terms than the emissaries of the London Missionary Society, and openly favoured the Kaffirs, placing them on a higher pedestal than the Boers. The latter had succeeded in rescuing their cattle from the

[5] *Oceana*, page 34

[6] Theal, page 62

Kaffirs, but were forced to look on passively while the very same cattle, with the owner's brand marks plainly visible, were sold by public auction to defray the cost of the commando. It was useless to hope for justice from Englishmen. There was no security for life and property under the flag of a Government which openly elected to uphold Wrong. The high-minded descendants of the proudest and most stubborn peoples of Europe had to bend the knee before a Government which united a commercial policy of crying injustice with a veneer of simulated philanthropy.

The Dutch language.

But it was not only in regard to the Natives that the Boers were oppressed and their rights violated. When the Cape was transferred to England in 1806, their language was guaranteed to the Dutch inhabitants. This guarantee was, however, soon to meet the same fate as the treaties and conventions which were concluded by England with our people at later periods.

The violator of treaties fulfilled its obligation by decreeing in 1825 that all documents were for the future to be written in English. Petitions in the language of the country and complaints about bitter grievances were not even acknowledged. The Boers were excluded from the juries because their knowledge of English was too faulty, and their causes and actions had to be determined by Englishmen, with whom they had nothing in common.

The Great Trek.

After twenty years' experience of British administration it had become abundantly clear to the Boers that there was no prospect of peace and prosperity before them, for their elementary rights had been violated, and they could only expect oppression. They were without adequate guarantees of protection, and their position had become intolerable in the Cape Colony.

They decided to sell home, farm, and all that remained over from the depredations of the Kaffirs, and to trek away from British rule. The

Colony was at this time bounded on the north by the Orange River.

Legality of the Trek.

[7]At first, Lieutenant-Governor Stockenstrom was consulted; but he was of opinion that there was no law which could prevent the Boers from leaving the Colony and settling elsewhere. Even if such a statute existed, it would be tyrannical, as well as impossible, to enforce it.

The Cape Attorney-General, Mr. Oliphant, expressed the same opinion, adding that it was clear that the emigrants were determined to go into another country, and not to consider themselves British subjects any longer. The same thing was happening daily in the emigration from England to North America, and the British Government was and would remain powerless to stop the evil.

The territory to the north of the Orange River and to the east of the Drakensberg lay outside the sphere of British influence or authority, and was, as far as was then known, inhabited by savages; but the Boers decided to brave the perils of the wilderness and to negotiate with the savages for the possession of a tract of country, and so form an independent community rather than remain any longer under British rule.

The Manifesto of Piet Retief.

In the words of Piet Retief, when he left Grahamstown:--

> We despair of saving the Colony from those evils which threaten it by the turbulent and dishonest conduct of vagrants who are allowed to infest the country in every part; nor do we see any prospect of peace or happiness for our children in a country thus distracted by internal commotions.
>
> We complain of the severe losses which we have been forced to sustain by the emancipation of our slaves, and the vexatious laws which have been enacted respecting them.

[7] Theal, 102.--Cachet

We complain of the continual system of plunder which we have for years endured from the Kaffirs and other coloured classes, and particularly by the last invasion of the Colony, which has desolated the frontier district and ruined most of the inhabitants.

We complain of the unjustifiable odium which has been cast upon us by interested and dishonest persons, under the name of religion, whose testimony is believed in England to the exclusion of all evidence in our favour; and we can foresee, as the result of this prejudice, nothing but the total ruin of the country.

We quit this Colony under the full assurance that the English Government has nothing more to require of us, and will allow us to govern ourselves without its interference in future.

We are now leaving the fruitful land of our birth, in which we have suffered enormous losses and continual vexation, and are about to enter a strange and dangerous territory; but we go with a firm reliance on an all-seeing, just, and merciful God, whom we shall always fear and humbly endeavour to obey.

In the name of all who leave this Colony with me.

P. RETIEF.

The English in pursuit.

We journeyed then with our fathers beyond the Orange River into the unknown north, as free men and subjects of no sovereign upon earth. Then began what the English Member of Parliament, Sir William Molesworth, termed a strange sort of pursuit. The trekking Boer followed by the British Colonial Office was indeed the strangest pursuit ever witnessed on earth.[8] The British Parliament even passed a law in 1836 to impose punishments beyond their jurisdiction up to the 25th degree south, and when we trekked further north, Lord Grey threatened to extend this unrighteous law to the

[8] William IV., ch. 57

Equator. It may be remarked that in this law it was specially enacted that no sovereignty or overlordship was to be considered as established thereby over the territory in question.

The Trichardt Trek.

The first trek was that of Trichardt and the Van Rensburgs. They went to the north, but the Van Rensburgs were massacred in the most horrible way by the Kaffirs, and Trichardt's party reached Delagoa Bay after indescribable sufferings in a poverty-stricken condition, only to die there of malarial fever.

THE FOUNDING OF NATAL.

Murder of Piet Retief.

The second trek was equally unfortunate. Piet Retief had duly paid for and obtained possession from Dingaan, chief of the Zulus, of that tract of territory now known as Natal, the latter, incited by some Englishmen, treacherously murdered him and his party on the 6th February, 1838; 66 Boers and 30 of their followers perished. The Great Trek thus lost its most courageous and noble-minded leader.[9] Dingaan then sent two of his armies, and they overcame the women and children and the aged at Boesmans River (Blaauw-krantz), where the village of Weenen now stands; 282 white people and 252 servants were massacred.

Towards the end of the year we entered the land of this criminal with a small commando of 464 men, and on the 16th December, 1838--since known as "Dingaan's Day," the proudest in our history--we overthrew the military might of the Zulus, consisting of 10,000 warriors, and burnt Dingaan's chief kraal.

No extension of British territory.

[10]After that we settled down peaceably in Natal, and established a new Republic. The territory had been purchased with our money and baptised with our blood. But the Republic was not permitted to remain in peace for long. The

[9] Theal, pages 104--130

[10] Theal, pages 169

Colonial Office was in pursuit. The Government first of all decided upon a military occupation of Natal, for, as Governor Napier wrote to Lord Russell on the 22nd June, 1840, "it was apparently the fixed determination of Her Majesty's Government not to extend Her Colonial possessions in this quarter of the Globe." The only object of the military occupation was to crush the Boers, as the Governor, Sir George Napier, undisguisedly admitted in his despatch to Lord Glenelg, of the 16th January, 1838. The Boers were to be prevented from obtaining ammunition, and to be forbidden to establish an independent Republic. By these means he hoped to put a stop to the emigration. Lord Stanley instructed Governor Napier on the 10th April, 1842, to cut the emigrant Boers off from all communication, and to inform them that the British Government would assist the savages against them, and would treat them as rebels.

Twice we successfully withstood the military occupation; more English perished while in flight from drowning than fell by our bullets.

Commissioner Cloete was sent later to annex the young Republic as a reward for having redeemed it for civilisation.

Protest of Natal

[11]Annexation, however, only took place under strong protest. On the 21st February, 1842, the Volksraad of Maritzburg, under the chairmanship of Joachim Prinsloo, addressed the following letter to Governor Napier:--

> We know that there is a God, who is the Ruler of heaven and earth, and who has power, and is willing to protect the injured, though weaker, against oppressors. In Him we put our trust, and in the justice of our cause; and should it be His will that total destruction be brought upon us, our wives and children, and everything we possess, we will with due

[11] Theal, 155

submission acknowledge to have deserved from Him, but not from men. We are aware of the power of Great Britain, and it is not our object to defy that power; but at the same time we cannot allow that might instead of right shall triumph, without having employed all our means to oppose it.

The Boer women

[12]The Boer women of Maritzburg informed the British Commissioner that, sooner than subject themselves again to British sway, they would walk barefoot over the Drakensberg to freedom or to death.[13] And they were true to their word, as the following incident proves. Andries Pretorius, our brave leader, had ridden through to Grahamstown, hundreds of miles distant, in order to represent the true facts of our case to Governor Pottinger. He was unsuccessful, for he was obliged to return without a hearing from the Governor, who excused himself under the pretext that he had no time to receive Pretorius. When the latter reached the Drakensberg, on his return, he found nearly the whole population trekking over the mountains away from Natal and away from British sway. His wife was lying ill in the waggon, and his daughter had been severely hurt by the oxen which she was forced to lead.

Suffering in Natal

Sir Harry Smith, who succeeded Pottinger, thus described the condition of the emigrant Boers:-- "They were exposed to a state of misery which he had never before seen equalled, except in Massena's invasion of Portugal. The scene was truly heart-rending."

This is what we had to suffer at the hands of the British Government in connection with Natal.

We trekked back over the Drakensberg to the Free State, where some remained, but others wandered northwards over the Vaal River.

[12] Theal, 179
[13] Theal, 244

THE ORANGE FREE STATE.

Boomplaats

[14]Giving effect to Law 6 and 7, William IV., ch. 57, the English appointed a Resident in the Free State. Pretorius, however, gave him 48 hours' notice to quit the Republic. Thereupon Sir Harry Smith mobilised an army, chiefly consisting of blacks, against us white people, and fought us at Boomplaats, on the 29th August, 1848. After an obstinate struggle a Boer named Thomas Dreyer was caught by the blacks of Smith's army, and to the shame of English reputation, was killed by the English Governor for no other crime than that he was once, though years before, a British subject, and had now dared to fight against Her Majesty's Flag.

Another murder and deed of shame in South Africa's account with England!

Annexation of the Orange Free State

the meantime Sir Harry Smith had annexed the Free State as the "Orange River Sovereignty," on the pretext that four-fifths of the inhabitants favoured British dominion, and were only intimidated by the power of Pretorius from manifesting their wishes.

Moshesh

But the British Resident soon came into collision with Moshesh, the great and crafty head chieftain of the Basutos.

The Boers were called up to assist, but only 75 responded out of the 1,000 who were called up. The English had then to eat the leek. The Resident informed his Government that the fate of the Orange River Sovereignty depended upon Andries Pretorius, the very man on whose head Sir Harry Smith had put a price of £2,000. Earl Grey censured and abandoned both Sir Harry Smith and the Resident, Major Warden, saying in his despatch to the Governor dated 15th December, 1851, that the British Government had annexed the country on the understanding

[14] Theal, 256-64. Hofstede

that the inhabitants had generally desired it. But if they would not support the British Government, which had only been established in their interests, and if they wished to be freed from that authority, there was no longer any use in continuing it.

The Orange Sovereignty once more a Republic.

The Governor was clearly given to understand by the British Government that there was in future to be no interference in any of the wars which might take place between the different tribes and the inhabitants of independent states beyond the Colonial boundaries, no matter how sanguinary such wars might happen to be.

In other words, as Froude says,[15] "In 1852 we had discovered that wars with the Natives and wars with the Dutch were expensive and useless, that sending troops out and killing thousands of Natives was an odd way of protecting them. We resolved then to keep within our own territories, to meddle no more beyond the Orange River, and to leave the Dutch and the Natives to settle their differences among themselves."

And again:[16] "Grown sick at last of enterprises which led neither to honour nor peace, we resolved, in 1852, to leave Boers, Kaffirs, Basutos, and Zulus to themselves, and make the Orange River the boundary of British responsibilities. We made formal treaties with the two Dutch States, binding ourselves to interfere no more between them and the Natives, and to leave them either to establish themselves as a barrier between ourselves and the interior of Africa, or to sink, as was considered most likely, in an unequal struggle with warlike tribes, by whom they were infinitely outnumbered."

The administration of the Free State cost the British taxpayer too much. There was an idea, too, that if enough rope were given to the Boer he would hang himself.

[15] *Oceana*, page 31

[16] *Oceana*, page 36

A new Governor, Sir George Cathcart, was sent out with two Special Commissioners to give effect to the new policy. A new Treaty between England and the Free State was signed, by which full independence was guaranteed to the Republic, the British Government undertaking at the same time not to interfere with any of the Native tribes north of the Orange River.

As Cathcart remarked in his letters--the Sovereignty bubble had burst, and the silly Sovereignty farce was played out.

The Diamond Fields

[17]It must not be forgotten that as long as the Free State was English territory it was supposed to include that strip of ground now known as Kimberley and the Diamond Fields; English title deeds had been issued during the Orange River Sovereignty in respect of the ground in question, which was considered to belong to the Sovereignty, and to be under the jurisdiction of one of the Sovereignty Magistrates. At the re-establishment of the Free State it consequently became a part of the Orange Free State.

The Basutos.

Not fifteen years had elapsed since the Convention between England and the Free State before it was broken by the English. It had been solemnly stipulated that England would not interfere in Native affairs north of the Orange River. The Basutos had murdered the Freestaters, plundered them, ravished their wives, and committed endless acts of violence. After a bitter struggle of three years, the Freestaters had succeeded in inflicting a well-merited chastisement on the Basutos, when the British intervened in 1869 in favour of the Natives, notwithstanding the fact that they had reiterated their declaration of non-interference in the Aliwal Convention.

The Diamond Fields.

[17] Froude, Oceana. Hofstede

[18]To return to the Diamond Fields, as Froude remarks: "The ink on the Treaty of Aliwal was scarcely dry when diamonds were discovered in large quantities in a district which we had ourselves treated as part of the Orange Territory." Instead of honestly saying that the British Government relied on its superior strength, and on this ground demanded the territory in question, which contained the richest diamond fields in the world, it hypocritically pretended that the real reason of its depriving the Free State of the Diamond Fields was that they belonged to a Native, notwithstanding the fact that this contention was falsified by the judgment of the English Courts. [19]"There was a notion also," says Froude, "that the finest diamond mine in the world ought not to be lost to the British Empire."

The ground was thereupon taken from the Boers, and "from that day no Boer in South Africa has been able to trust to English promises."

Later, when Brand went to England, the British Government acknowledged its guilt and paid £90,000 for the richest diamond fields in the world, a sum which scarcely represents the daily output of the mines.

But notwithstanding the Free State Convention, notwithstanding the renewed promises of the Aliwal Convention[20] --the Free State was forced to suffer a third breach of the Convention at the hands of the English. Ten thousand rifles were imported into Kimberley through the Cape Colony, and sold there to the natives who encircled and menaced the two Dutch Republics.[21] General Sir Arthur Cunynghame, the British Commander-in-Chief in South Africa, admits that 400,000 guns were sold to Kaffirs during his term of office. Protests from the

[18] *Oceana*, page 41
[19] *Oceana*, page 40

[20] *Oceana*, page 42
[21] Cunynghame, page XI

Transvaal and the Free State were of no avail.[22] And when the Free State in the exercise of its just rights stopped waggons laden with guns on their way through its territory, it was forced to pay compensation to the British Government.

"The Free State," says the historian Froude, "paid the money, but paid it under protest, with an oldfashioned appeal to the God of Righteousness, whom, strange to say, they believed to be a reality."

It seems thus that there is no place for the God of Righteousness in English policy.

So far we have considered our Exodus from the Cape Colony, and the way in which we were deprived of Natal and the Free State by England. Now for the case of the Transvaal.

THE SOUTH AFRICAN REPUBLIC.

The disastrous fate of the Trichardt Trek has already been told. The Trichardts found the Transvaal overrun by the warriors of Moselikatse, the King of the Matabele and father of Lobengula. The other tribes of the Transvaal were his "dogs," according to the Kaffir term.

Moselikatse.

As soon as he heard of the approach of the emigrant Boers he sent out an army to exterminate them. This army succeeded in cutting off and murdering one or two stragglers, but it was defeated at Vechtkop by the small laager of Sarel Celliers, where the Boer women distinguished themselves by deeds of striking heroism.

Shortly afterwards the emigrant Boers journeyed across the Vaal River, and after two battles drove Moselikatse and his hordes across the Limpopo right into what is now Matabeleland. Andries Pretorius had come into the Transvaal after the Annexation of Natal, and lived there quietly, notwithstanding the price which had been put on his head after Boomplaats. The British Resident in the Free State, which at this time still belonged to England, was compelled to admit in

[22] *Oceana*, page 42

a letter to the English Governor that the fate of the Free State depended upon the selfsame Pretorius. It was owing to his influence that Moshesh had not killed off the English soldiers. People had decided in England--to quote Froude once more--to abandon the Africanders and the Kaffirs beyond the borders to their fate, in the hope that the Kaffirs would exterminate the Africanders.

The Sand River Convention.

According to Molesworth, the English member of Parliament, the Colonial Office was delighted when the Governor received a letter in 1851 from Andries Pretorius, Commandant-General of the Transvaal Boers, in which he offered on behalf of his people to enter into negotiations with the British Government for a Treaty of Peace and Friendship.[23] The price put on his head was promptly cancelled, and when Sir Harry Smith was recalled in disgrace, Governor Cathcart was sent out to recognise the independence of the Boers. The Aberdeen Ministry declared through its representative in the House of Commons that they regretted having crossed the Orange River, as the Boers were hostile to British rule, and that Lord Grey had permitted it out of deference to the views of Sir Harry Smith, against his own better judgment and convictions. This policy was almost unanimously endorsed by the House of Commons.

The proposal of Pretorius was then accepted, and two Assistant Commissioners, Hogge and Owen, were sent out with Governor Cathcart, and met the Boer representatives at Sand River, a meeting which resulted in the Sand River Convention, respectively signed by both the contracting parties.

In this Convention, as in the later Free State Treaty, the Transvaal Boers were guaranteed in the fullest way against interference or hindrance on the part of Great Britain, either in regard to themselves or the natives, to whom it was mutually agreed that the sale of firearms and

[23] Molesworth

ammunition should be strictly forbidden. The British Commissioners reported that the recognition of the independence of the Transvaal Boers would secure great advantages, as it would ensure their friendship and prevent any union with Moshesh. It would also be a guarantee against slavery, and would provide for the extradition of criminals.[24] On the 13th May, 1852, great satisfaction was expressed by the Governor, Sir George Cathcart, in his proclamation that one of the first acts of his administration was to approve and fully confirm the Sand River Convention. On the 24th June, 1852, the Colonial Secretary also signified his approval of the Convention.

Recognition of the South African Republic by Foreign Powers.

The Republic was now in possession of a Convention, which from the nature of its provisions seemed to promise a peaceful future. In addition to Great Britain it was recognised in Holland, France, Germany, Belgium, and especially in the United States of America. The American Secretary of State at Washington, writing to President Pretorius on the 19th November, 1870, said:-"That his Government, while heartily acknowledging the Sovereignty of the Transvaal Republic, would be ready to take any steps which might be deemed necessary for that purpose."

But no reliance could be placed on England's word, even though it was embodied in a Convention duly signed and ratified, for when the Diamond Fields were discovered, barely seventeen years later, England claimed a portion of Transvaal territory next to that part which had already been wrested from the Free State. Arbitration was decided upon. As the Arbitrators could not agree, the Umpire, Governor Keate, gave judgment against the Transvaal. Thereupon it appeared that the English Arbitrator had bought 12,000 morgen (of the ground in dispute) from the Native Chief Waterboer for a mere song, and also that Governor Keate had accepted

[24] Theal, 305

Waterboer as a British subject, which was contrary to the Convention. Even Dr. Moffat, who was no friend of the Boers, entered a protest in a letter to the *Times,* on the ground that the territory in question had all along been the property of the Transvaal.

Sale of guns to Natives.

But this was only one of the breaches of the Convention. When the 400,000 guns, about which Cunynghame and Moodie testify, were sold to the Kaffirs, the Transvaal lodged a strong protest in 1872 with the Cape High Commissioner. Their only satisfaction was an insolent reply from Sir Henry Barkly.

Annexation of the Transvaal.

As a crowning act in these deeds of shame came the Annexation of the Transvaal by Shepstone on the 12th April, 1877. Sir Bartle Frere was sent out as Governor to Cape Town by Lord Carnarvon to carry out the confederation policy of the latter. Shepstone was also sent to the Transvaal to annex that State, in case the consent of the Volksraad or that of the majority of the inhabitants could be obtained. The Volksraad protested against the Annexation. The President protested. Out of a possible 8,000 burghers, 6,800 protested. But all in vain.

Bishop Colenso declared that:[25] "The sly and underhand way in which the Transvaal has been annexed appears to be unworthy of the English name."

The Free State recorded its deepest regret at the Annexation.

Even Gladstone, in expressing his regret, admitted that England had in the Transvaal acted in such a way as to use the free subjects of a kingdom to oppress the free subjects of a Republic, and to compel them to accept a citizenship which they did not wish to have.

But it was all of no avail.

Sir Garnet Wolseley declared: "As long as the sun shines the Transvaal will remain British

[25] 30th April, 1877, Letter to the Rev. La Touche

Territory." He also stated that the Vaal River would flow backwards to its source over the Drakensberg before England would give up the Transvaal.

Pretexts for the Annexation.

Shepstone's chief pretexts for the Annexation were that the Transvaal could not subdue Secoecoeni, and that the Zulus threatened to overpower the Transvaal. As far as Secoecoeni is concerned, he had shortly before sued for peace, and the Transvaal Republic had fined him 2,000 head of cattle. With regard to the Zulus, the threatened danger was never felt by the Republic. Four hundred burghers had crushed the Zulu power in 1838, and the burghers had crowned Panda, Cetewayo's father, in 1840.

Sir Bartle Frere acknowledged in a letter to Sir Robert Herbert dated 12th January, 1879, that he could not understand how it was that the Zulus had left Natal unmolested for so long, until he found out that the Zulus had been thoroughly subdued by the Boers during Dingaan's time. Just before the Annexation a small patrol of Boers had pursued the Chief Umbeline into the very heart of Zululand. But Bishop Colenso points out clearly what a fraudulent stalking horse the Zulu difficulty was. There had been a dispute of some years standing between the Transvaal and the Zulus about a strip of territory along the border, which had been claimed and occupied by the Boers since 1869. The question was referred to Shepstone before the Annexation, while he was still in Natal, and he gave a direct decision against the Boers, and in favour of the Zulus. There was thus no cause on that account for the fear of a Zulu attack upon the Transvaal. But scarcely had Shepstone become administrator of the Transvaal when he declared the ground in dispute to be British territory, and discovered that there was the strongest evidence for the contention of the Boers that the Zulus had no right to the ground. Bulwer, the Governor of Natal, appointed a Boundary Commission, which decided in favour of the Zulus, but Shepstone vehemently opposed their verdict, and Bartle Frere and the High

Commissioner (Wolseley) followed him blindly.[26] The result was that England sent an ultimatum to the Zulus, and the Zulu War took place, which lowered the prestige of England among the Natives of South Africa.

It will thus be seen that Shepstone's two chief reasons for the Annexation were devoid of foundation.

It was naturally difficult for the Secretary of State to justify his instructions that the Annexation of the Transvaal was only to take place in case a majority of the inhabitants favoured such a course, in face of the fact that 6,800 out of 8,000 burghers had protested against it.

But both Shepstone and Lord Carnarvon declared without a shadow of proof that the signatures of the protesting petitions were obtained under threats of violence. The case, indeed, was exactly the reverse. When the meeting was held at Pretoria to sign this petition, Shepstone caused the cannons to be pointed at the assemblage. As if this were not enough, he issued a menacing proclamation against the signing of the petition.

When these pretexts were thus disposed of, they relied on the fact that the Annexation was a *fait accompli*.

Delegates were sent to England to protest against the Annexation, but Lord Carnarvon told them that he would only be misleading them if he held out any hope of restitution. Gladstone afterwards endorsed this by saying that he could not advise the Queen to withdraw her Sovereignty from the Transvaal.

When it was represented that the Annexation was a deliberate breach of the Sand River Convention, Sir Bartle Frere replied, in 1879, that if they wished to go back to the Sand River Convention, they might just as well go back to the Creation!

[26] Martineau, *The Transvaal Trouble*, page 76

It is necessary here not to lose sight of the fact that the ground, which according to the Keate award in 1870 had been declared to lie beyond the borders of the Republic, was now included by Shepstone as being a part of the Transvaal.

There were, however, other matters which under Republican administration were branded as wrong, but which under English rule were perfectly right. In the Secoecoeni War under the Republic the British High Commissioner had protested against the use of the Swazies and Volunteers by the Republic in conducting the campaign.

Under British administration the war was carried on at first by regulars only, but when these were defeated by the Kaffirs, an army of Swazies, as well as Volunteers, was collected. The number of the former can be gathered from the fact that 500 Swazies were killed. The atrocities committed by these Swazi allies of the English on the people of Secoecoeni's tribe were truly awful.

Bishop Colenso, who condemned this incident, said, with regard to the results of the Annexation of the Republic, that the Zululand difficulty, as well as that with Secoecoeni, was the direct consequence of the unfortunate Annexation of the Transvaal, which would not have happened if we had not taken possession of the country like a lot of freebooters, partly by "trickery," partly by "bullying." Elsewhere he said: "And in this way we annexed the Transvaal, and that act brought as its Nemesis the Zulu difficulty."

That the British Government had all along considered the Zulus as a means of annihilating the Transvaal when a favourable opportunity occurred, is clear from a letter which the High Commissioner, Sir Bartle Frere, wrote to General Ponsonby, in which he says:--[27] "That while the Boer Republic was a rival and semi-hostile power, it was a Natal weakness rather to pet the Zulus as one might a tame wolf who only devoured one's neighbours' sheep. We always

[27] Martineau, *The Transvaal Trouble*, page 69

remonstrated, but rather feebly, and now that both flocks belong to us, we are rather embarrassed in stopping the wolf's ravages."

And again in a letter to Sir Robert Herbert:--[28] "The Boers were aggressive, the English were not; and were well inclined to help the Zulus against the Boers. I have been shocked to find how very close to the wind the predecessors of the present Government here have sailed in supporting the Zulus against Boer aggression. Mr. John Dunn, still a salaried official of this Government, thinking himself bound to explain his own share in supplying rifles to the Zulus in consequence of the revelations in a late trial of a Durban gun-runner, avows that he did so with the knowledge, if not the consent, and at the suggestion of (naming a high Colonial official) in Natal. There can be no doubt that Natal sympathy was strongly with the Zulus as against the Boers, and, what is worse, is so still."

[28] *The Transvaal Trouble*, page 76

Under such circumstances did the Annexation take place. The English did not scruple to make use of Kaffir aid against the Boers, as at Boomplaats, and it was brought home in every possible way to the British Nation that a great wrong had been committed here; but even the High Commissioner, though he heard the words issue from our bleeding hearts, wished that he had brought some artillery in order to disperse us, and misrepresented us beyond measure.

Full of hope we said to ourselves if only the Queen of England and the English people knew that in the Transvaal a people were being oppressed, they would never suffer it.

The War of Freedom.

But we had now to admit that it was of no use appealing to England, because there was no one to hear us. Trusting in the Almighty God of righteousness and justice, we armed ourselves for an apparently hopeless struggle in the firm conviction that whether we conquered or whether we died, the sun of freedom in South

Africa would arise out of the morning mists. With God's all-powerful aid we gained the victory, and for a time at least it seemed as if our liberty was secure.

At Bronkorst Spruit, at Laing's Nek, at Ingogo, and at Majuba, God gave us victory, although in each case the British troopers outnumbered us, and were more powerfully armed than ourselves.

After these victories had given new force to our arguments, the British Government, under the leadership of Gladstone, a man whom we shall never forget, decided to cancel the Annexation, and to restore to us our violated rights.

THE CONVENTIONS OF 1881 AND 1884

Pretoria Convention.

An ordinary person would have thought that the only upright way of carrying a policy of restitution into effect would have been for the British Government to have returned to the provisions of the Sand River Convention. If the Annexation was wrong in itself--without taking the Boer victories into consideration--then it ought to have been abolished with all its consequences, and there ought to have been a *restitutio in integrum* of that Republic; that is to say, the Boers ought to have been placed in exactly the same position as they were in before the Annexation. But what happened? With a magnanimity which the English press and English orators are never tired of vaunting, they gave us back our country, but the violation of the Sand River Convention remained unredressed. Instead of a sovereign freedom, we obtained free internal administration, subject to the suzerain power of Her Majesty over the Republic. This occurred by virtue of the Convention of Pretoria, the preamble of which bestowed self-government on the Transvaal State with the express reservation of suzerainty. The articles of that Convention endeavoured to establish a *modus vivendi* between such self-government and the aforesaid suzerainty. Under this bi-lateral arrangement the Republic was governed for three years by two heterogeneous principles--that of representative selfgovernment, and that represented by the British Agent. This system

was naturally unworkable; it was also clear that the arrangement of 1881 was not to be considered as final.

The London Convention.

The suzerainty was above all an absurdity which was not possible to reconcile with practical efficacy. So with the approval of the British Government a Deputation went to London in 1883, in order to get the status of the Republic altered, and to substitute a new Convention for that of Pretoria. The Deputation proposed to return to the position as laid down by the Sand River Convention, and that was in fact the only upright and statesmanlike arrangement possible. But according to the evidence of one of the witnesses on the British side, the Rev. D.P. Faure, the Ministry suffered from a very unwholesome dread of Parliament; so it would not agree to this, and submitted a counter proposal (see Appendix A.), which eventually was accepted by the Deputation, and the conditions of which are to-day of the greatest importance to us.

This Draft was constructed out of the Pretoria Convention with such alterations as were designed to make it acceptable to the Deputation. The preamble under which complete self-government, subject to the suzerainty, was granted to the Republic was deliberately erased by Lord Derby, then Secretary of State for the Colonies, so that the suzerainty naturally lapsed when the Draft was eventually accepted. In order to make it perfectly clear that the status of the Republic was put upon another basis, the title "Transvaal State" was altered to that of the "South African Republic." All articles in the Pretoria Convention which gave the British Government any authority in the internal affairs of this Republic were done away with. As far as foreign affairs were concerned, a great and far-reaching change was made. It was stipulated in Article 2 of the Pretoria Convention that "Her Majesty reserves to herself, her heirs and successors (*a*), the right from time to time to appoint a British Resident in and for the said State, with such duties and functions as are hereinafter defined; (*b*), the right to move troops

through the said State in time of war or in case of the apprehension of immediate war between the Suzerain Power and any Foreign State or Native tribe in South Africa; and (*c*) the control of the external relations of the said State, including the conclusion of treaties and the conduct of diplomatic intercourse with Foreign Powers, such intercourse to be carried on through Her Majesty's diplomatic and consular officers abroad."

This was superseded by Article 4 of the Convention of London, which was to the following effect:-

> "The South African Republic will conclude no treaty or engagement with any State or Nation other than the Orange Free State, nor with any Native tribe to the eastward or westward of the Republic, until the same has been approved by Her Majesty the Queen.
>
> "Such approval shall be considered to have been granted if Her Majesty's Government shall not, within six months after receiving a copy of such treaty (which shall be delivered to them immediately upon its completion), have notified that the conclusion of such treaty is in conflict with the interests of Great Britain, or any of Her Majesty's possessions in South Africa."

The right of the British Government to exercise control over all our foreign relations, and to conduct all our diplomatic negotiations through its own Agent, was thus replaced by the far more slender right of approving or disapproving of our treaties and conventions *after they were completed*, and then only when it affected the interests of Great Britain or Her Majesty's possessions in South Africa.

Status of the Republic.

It was this Article 4 which gave an appearance of truth (and an appearance only) to Lord Derby's declaration in the House of Lords that although he had omitted the term of suzerainty, the substance thereof remained. It would have been more correct to have said that owing to the lapse

of suzerainty the South African Republic no longer fell under the head of a semi-suzerain State, but that it had become a free, independent, sovereign international State, the sovereignty of which was only limited by the restriction contained in Article 4 of the Convention. Sovereignty need not of necessity be absolute. Belgium is a sovereign international State, although it is bound to observe a condition of permanent neutrality. The South African Republic falls undoubtedly under this category of States, the sovereignty of which is limited in one or other defined direction. But the fact of its sovereignty is nevertheless irrefutable. It will be pointed out later how this position, which is undoubtedly the correct one, has been consistently upheld by the Government of the South African Republic, but it is necessary now to revert to the historical development.

CAPITALISTIC JINGOISM. FIRST PERIOD.

The gold fields.

In 1886 gold was discovered in great quantities and in different parts of the South African Republic, and with that discovery our people entered upon a new phase of their history. The South African Republic was to develop within a few years from a condition of great poverty into a rich and prosperous State, a country calculated in every respect to awaken and inflame the greed of the Capitalistic speculator. Within a few years the South African Republic was ranked among the first gold-producing countries of the world. The bare veldt of hitherto was overspread with large townships inhabited by a speculative and bustling class brought together from all corners of the earth. The Boers, who had hitherto followed pastoral and hunting pursuits, were now called upon to fulfil one of the most difficult tasks in the world, namely, the management of a complicated administration, and the government of a large digging population, which had sprung up suddenly under

the most extraordinary circumstances. And how have they acquitted themselves of the task? We quote the following from a brilliant pamphlet by Olive Schreiner, who possesses a deeper insight into the true condition of affairs in South Africa than has been vouchsafed to any other writer on the same subject:--

> [29]"We put it to all generous and just spirits, whether of statesmen or thinkers, whether the little Republic does not deserve our sympathy, which wise minds give to all who have to deal with new and complex problems, where the past experience of humanity has not marked out a path--and whether, if we touch the subject at all, it is not necessary that it should be in that large impartial, truth-seeking spirit in which humanity demands we should approach all great social difficulties and questions?"
>
> "It is sometimes said that when one stands looking down from the edge of this hill at the great mining camp of Johannesburg stretching beneath, with its heaps of white sand and *debris* mountain high, its mining chimneys belching forth smoke, with its seventy thousand Kaffirs and its eighty thousand men and women, white or coloured, of all nationalities, gathered here in the space of a few years on the spot where, fifteen years ago, the Boer's son guided his sheep to the water and the Boer's wife sat alone at evening at the house door to watch the sunset, we are looking upon one of the most wonderful spectacles on earth. And it is wonderful; but as we look at it the thought always arises within us of something more wonderful yet--the marvellous manner in which a little nation of simple folk, living in peace in the land they loved, far from the rush of cities and the concourse of men, have risen to the difficulties of their condition; how they, without instruction in statecraft or traditionary rules of policy, have risen to face their great difficulties, and have sincerely endeavoured to meet them in a large spirit, and have

[29] Olive Schreiner, Words in Season, page 62

largely succeeded. Nothing but that curious and wonderful instinct for statecraft and the organisation and arrangement of new social conditions which seem inherent as a gift of the blood to all those peoples who took their rise in the little deltas on the north-east of the Continent of Europe where the English and Dutch peoples alike took their rise could have made it possible. We do not say that the Transvaal Republic has among its guides and rulers a Solon or a Lycurgus, but it has to-day, among the men guiding its destiny, men of brave and earnest spirit, who are seeking manfully and profoundly to deal with the great problems before them in a wide spirit of humanity and justice. And we do again repeat that the strong sympathy of all earnest and thoughtful minds, not only in Africa, but in England, should be with them."

If one compares the gold fields of the Witwatersrand with those of other countries, it is certain that the former can claim to be the best governed mining area in the world. This is the almost unanimous verdict of people who have had a lengthy experience of the gold fields of California, Australia, and Klondyke.

As far as South Africa is concerned, it is only necessary to instance the diamond fields of Griqualand West when they were directly administered by the British Government. They then afforded a continual spectacle of rebellion, rioting, and indescribable uncertainty of, and danger to, life and property.

In Appendix B. are certain extracts from the evidence of eye witnesses as to the chaos which characterised the condition of the diamond fields when under British rule--a condition which differs from that of the Witwatersrand gold fields as night from day. Reference will be made later on to the administration of the gold fields of the South African Republic. For the present it is necessary to glance at certain forces which had been developed on the diamond fields of the Cape Colony, and which have introduced a new factor of overwhelming importance into the South African situation.

Capitalism.

The development of British policy in South Africa had hitherto been influenced at different times, and in a greater or less degree, by the spirit of Jingoism, and by that zeal for Annexation which is so characteristic of the trading instincts of the race. It was, however, a policy that had been conducted in other respects on continuous lines, and it might be justified by the argument that it was necessary in the interests of the Empire. But Capitalism was the new factor which was about to play such an important *role* in the history of South Africa. The natural differences in men find their highest expression in the varieties of influence which one man exercises over another; this influence can either be of a religious, moral, political, or purely material nature. Material influence generally takes the form of money, or the financial nexus, as an English writer has termed it. An unusual combination of this form of influence leads to Capitalism just as an unusual combination of political influence leads to tyranny, and an unusual combination of religious influence to hierarchical despotism. Capitalism is the modern peril which threatens to become as dangerous to mankind as the political tyranny of the old Eastern world and the religious despotism of the Middle Ages were in their respective eras.

In a part of the world so rich in minerals of all descriptions as the Transvaal, it is natural that Capitalism should play a considerable *role*. Unfortunately, in South Africa it has from the very first attempted to go far beyond its legitimate scope; it has endeavoured to gain political power, and to make all other forms of government and influence subservient to its own ends. The measure of its success can be clearly gauged by the fact that all South Africa is standing to-day on the brink of a great precipice, and may be hurled into the abyss before the ink on these pages is dry.

Mr. Cecil Rhodes

The spirit of Capitalism found its incarnation in Mr. Cecil Rhodes, who was able to amalgamate the pressing and conflicting interests of the Diamond Fields into the one great Corporation of which he is the head.

Although he probably had no exceptional aptitude for politics, he was irresistibly drawn towards them by the stress of his interests. By means of his financial influence, together with a double allowance of elasticity of conscience, he succeeded so far as to become Prime Minister of the Cape Colony, and was powerfully and solidly supported by the Africander party. The Africanders believed in him because they were really and deeply imbued with the necessity of the co-operation and fusion of the two white races in South Africa, and he, as a loyal Englishman, but fully possessing the confidence of Colonial Africanderdom, seemed to them just the very person to realise their ideal.

To a careful observer the alliance between Africanderdom and Capitalism was bound to lead to a rupture sooner or later. Deeply rooted and pure national sentiment as well as burning conviction form the basis of Africander Policy, and it was obvious that in the long run it would be discovered that this policy could never be made subservient to purely financial interests.

Jingoism.

But there was another factor. There was that debased form of patriotism called Jingoism. It is a form of party politics without solid convictions or real beliefs, which puffs itself out with big words, and with the froth of high-sounding ideas and principles. It is a policy, nevertheless, which appeals most strongly to the instincts of self-interest and to the illegal appropriation of other people's property. It revels in the lust of boasting, so deeply ingrained in human nature. In a word, it is a policy which is in direct opposition to the true spirit of religion, to the altruistic ideals of humanity, and to that

sentiment of humility and moderation which is the natural basis of all morality.

Alliance between Capitalism and Jingoism.

Here, indeed, were the elements of an enduring alliance--an alliance between Capitalism, with its great material influence, but barren of any one single exalted idea or principle on the one hand, and Jingoism, sterile, empty, soulless, but with a rich stock-in-trade of bombastic ideas and principles, prompted by the most selfish aspirations, on the other hand.

The one was eminently calculated to form the complement of the other, thus creating a natural alliance which is rapidly becoming a menace, all the world over, to the best and most enduring interests of humanity.

This Capitalistic Jingoism is the tree from which it is the lot of our unfortunate South Africa to gather such bitter fruit to-day.

Mr. Rhodes, with that treacherous duplicity which is an enduring characteristic of British policy in South Africa, co-operated publicly, and in the closest relationship, with the Colonial Africanders, while he was secretly fomenting a conspiracy with Jingoism against the Cape Africanders and the South African Republics. He already had the Africanders in the Cape Colony under his sway; his aim was now to gain the same influence in the South African Republic, with its rich gold mines--not so much, perhaps, for himself personally as for Capitalism, with which his interests were so closely identified. In case of success, he would obtain his personal aim, and Capitalism would be absolutely despotic in South Africa. With an eye to this end he, with other Capitalists, began in 1892 to foment a political agitation in Johannesburg against the Republic. In a place like Johannesburg, where drink is consumed in great quantities, and where the high altitude and the stress of business all tend to keep people's spirits in a constant state of excitability, it was easy enough, with the aid of money, to bring about a state of political ferment in a very short time, especially as just that measure of grievances

existed to give a colour of truth to the imaginary ones.

The National Union.

Under these conditions the National Union movement originated in 1892. Its adherents were entirely composed of the creatures and parasites of the Capitalists, with a few honest fools and enthusiasts who naturally did not think deeply enough to discern the aim and the trend of this hypocritical movement.

The Capitalists at this time certainly kept well in the background, in order that the movement might have the appearance of being a popular one. The Capitalists of Johannesburg were, however, a theatrical lot, and the desire to play a prominent *role* was too intense to be suppressed for any length of time, so that after the lapse of a couple of years they naturally took the leading part in the *opera bouffe* agitation which followed.

Corruption of the Capitalists.

They began, by means of the lowest and most repulsive methods, to undermine the Boer policy in order to gain the mastery of the mining legislation and administration. They had persuaded themselves and the rest of the world that the Boers were as a body corrupt and tainted, so they armed themselves, with the power of money in order to overthrow them.

Lionel Phillips wrote in this spirit on the 16th June, 1894, to Beit in London:--[30] "I may here say that, as you of course know, I have no desire for political rights, and believe as a whole that the community is not ambitious in this respect. The bewaarplaatsen question will, I think, be settled in our favour, but at a cost of about £25,000. It is proposed to spend a good deal of money in order to secure a better Raad, but it must be remembered that the spending of money on elections has, by recent legislation, been

[30] Transvaal Green Book No. 1 of 1896

made a criminal offence, and the matter will have to be carefully handled."

On the 15th July, 1894, he wrote again to the same correspondent:--[31] "Our trump card is a fund of £10--15,000 to improve the Raad. Unfortunately the companies have no secret service fund. I must divine a way. We don't want to shell out ourselves."

Here we catch a glimpse behind the scenes, and we observe how the Capitalists in 1894 had already endeavoured to lower and vitiate our public life by methods which did not even recoil before the criminal law of the land, to say nothing of elementary morality.

And did they succeed? Were the people and the Volksraad as corrupt as they thought, and as they still endeavour to make the world believe? Their failure is the best and most complete answer to this calumny.

If corruption on a large scale, however, failed to ensure the triumph of Capitalism over the community, the other trump card of Jingoism still remained. The pulse of the High Commissioner was felt by Mr. Lionel Phillips, and what was the answer of Sir Henry Loch, Her Majesty's representative in South Africa? We extract from the same secret letter book from which we have already quoted the following letter, dated 1st July, addressed to Wernher, a member of the influential firm of Wernher, Beit & Co.:--

(Sir) Henry Loch's indiscretion.

[32]"Sir Henry Loch (with whom I had two long private interviews alone) asked me some very pointed questions, such as what arms we had in Johannesburg, whether the population could hold the place for six days until help could arrive, etc., etc., and stated plainly that if there had been three thousand rifles and ammunition here he would certainly have come over."

[31] Transvaal Green Book No. 1 of 1896

[32] Transvaal Green Book No. 1 of 1896

And so on in the same strain. Sir Henry Loch endorsed the truth of these statements two years later by boasting openly in the House of Lords about his plans for organising a raid into the South African Republic.

And all this happened while he (Sir Henry Loch) was the guest of our Government, and engaged in friendly negotiations about the interests of British subjects. To what a depth had British Policy in South Africa already degenerated. Within two years, however, a deeper abyss was to open.

The conspiracy.

The secret conspiracy of the Capitalists and Jingoes to overthrow the South African Republic began now to gain ground with great rapidity, for just at this critical period Mr. Chamberlain became Secretary of State for the Colonies. In the secret correspondence of the conspirators, reference is continually made to the Colonial Office in a manner which, taken in connection with later revelations and with a successful suppression of the truth, has deepened the impression over the whole world that the Colonial Office was privy to, if not an accomplice in, the villainous attack on the South African Republic.

The Jameson Raid

It is unnecessary to dwell at length on the Jameson Raid; the world has not yet forgotten how the Administrators of a British province, carrying out a conspiracy headed by the Prime Minister of the Cape Colony, attacked the South African Republic with an armed band in order to assist the Capitalist revolution of Johannesburg in overthrowing the Boer Government; how this raid and this revolution were upset by the vigilance of the Boers; how Jameson and his filibusters were handed over to England to stand their trial--although the Boers had the power and the right to shoot them down as robbers; how the whole gang of Johannesburg Capitalists pleaded guilty to treason and sedition; how, instead of confiscating all their property, and thus dealing a death blow to Capitalistic influence in South

Africa, the Government dealt most leniently with them (an act of magnanimity which was rewarded by their aiding and abetting a still more dangerous agitation three years later).

The Parliamentary Commission.

Nor has the world forgotten how, at the urgent instance of the Africander party in the Cape Colony, an investigation into the causes of the conflict was held in Westminster; how that investigation degenerated into a low attack upon the Government of the sorely maligned and deeply injured South African Republic, and how at the last moment, when the truth was on the point of being revealed, and the conspiracy traced to its fountain head in the British Cabinet, the Commission decided all of a sudden not to make certain compromising documents public.

"Constitutional means."

Here we see to what a depth the old great traditions of British Constitutionalism had sunk under the influence of the ever-increasing and all-absorbing lust of gold, and in the hands of a sharp-witted wholesale dealer, who, like Cleon of old, has constituted himself a statesman. Treachery and violence not having been able to attain their objects, "Constitutional means" were to be invoked (as Mr. Rhodes openly boasted before the aforesaid Commission), so as to make Capitalistic Jingoism master of the situation in South Africa.

CAPITALISTIC JINGOISM. SECOND PERIOD.

National sentiment in South Africa kindled by the Jameson Raid.

The foregoing sketch has shown how deeply our people felt and resented the wrong that was done to them. It was to be expected that such a treacherous attack on the Republics, emanating from their own leader, would awaken the Africanders even in the remotest districts, and would bring fresh energy into the arena of politics. To give an instance of the measure of the feeling which had been quickened by the raid, a short extract is given below from an article published in the organ of the Africander

party, *Our Land*, a few months after the Raid, an article which undoubtedly expressed the feeling of Africanders:--

"Has not Providence over-ruled and guided the painful course of events in South Africa since the beginning of this year (1896)? Who can doubt it?

"The stab which was intended to paralyse Africanderdom once and for all in the Republics has sent an electric thrill direct to the national heart. Africanderdom has awakened to a sense of earnestness and consciousness which we have not observed since the heroic war for Liberty in 1881. From the Limpopo as far as Cape Town the Second Majuba has given birth to a new inspiration and a new movement amongst our people in South Africa. A new feeling has rushed in huge billows over South Africa. The flaccid and cowardly Imperialism, that had already begun to dilute and weaken our national blood, gradually turned aside before the new current which permeated our people. Many who, tired of the slow development of the national idea, had resigned themselves to Imperialism now paused and asked themselves what Imperialism had produced in South Africa? Bitterness and race hatred it is true! Since the days of Sir Harry Smith and Theophilus Shepstone and Bartle Frere to the days of Leander Jameson and Cecil Rhodes, Imperialism in South Africa has gone hand in hand with bloodshed and fraud. However wholesome the effects of Imperialism may be elsewhere, its continual tendency in this country during all these years has been nothing else but an attempt to force our national life and national character into foreign grooves; and to seal this pressure with blood and tears.... This is truly a critical moment in the existence of Africanderdom all over South Africa. Now or never! Now or never the foundation of a wide-embracing nationalism must be laid. The Iron is red hot, and the time for forging is at hand....

... The partition wall has disappeared. Let us stand manfully by one another. The danger has not yet disappeared; on the contrary, never has the necessity for a policy of a Colonial and Republican Union been greater; now the

psychological moment has arrived; now our people have awakened all over South Africa; a new glow illuminates our hearts; let us now lay the foundation stone of a real United South Africa on the soil of a pure and *all-comprehensive national sentiment*."

Such language caused the Jingoes to shudder--not because it was disloyal, because that it certainly was *not*, but because it proved that the Jameson Raid had suddenly awakened the Africanders, and that owing to this defeat of the Jingoes a vista of further and greater defeats widened out in the future. The Colonial Africanders would certainly have to be reckoned with, in case an annexation policy were followed with regard to the Republics.

Victory of the Africander Party in the Cape Parliament.

For some time the Jingoes cherished the hope that they would gain the majority in the Cape Parliament under an amended Redistribution Act. The General Election of 1898 took place, with the result that the Africander party obtained a small majority, and later, under a Redistribution Act forced upon them by the Jingoes, the majority of the former was considerably increased.

The cry of disloyalty

Instead of honestly admitting that the Africander victory was the natural result of the Jameson Raid, the Jingoes began, not only in South Africa, but also in England, to shout that the rule and supremacy of England in South Africa was menaced.

The Transvaal must be humiliated.

They contended that South Africa would be lost to England unless energetic intervention took place without delay, and that this menace to English rule was due to the Republican propaganda which the South African Republic had set in motion. That as long as the South African Republic refused to humiliate itself before British authority, but on the contrary kept its youthful head on high with national pride,

other parts of South Africa would be inclined to follow its example, and there would thus be no certainty for British supremacy in this quarter of the globe. The South African Republic would have to be humiliated and to be crushed into the dust; the Africanders in other parts of South Africa would then abandon their alleged hope of a more extensive Republican South Africa.

The necessity for constitutional means.

But how was this humiliation to be brought about, and how, above all, was it to be brought about by those "Constitutional means," which, since the failure of the conspiracy, had become a *sine qua non*?

The new Governor of the Cape Colony and High Commissioner of South Africa, who had enjoyed the distinction of a brilliant university career, who had learnt humility and moderation at the feet of Mr. W.T. Stead, and who had learnt by his experience with the fellaheen in Egypt how to govern the descendants of the Huguenots and the "Beggars of the Sea," would know very well how to evolve "Constitutional means" in order to humiliate the South African Republic, and to crush it into the dust.

The suzerainty.

There was at any rate the burning question of suzerainty, which the South African Republic had unconsciously and innocently raised in the following way:--

After the Jameson Raid the Volksraad had passed certain laws with a view of removing some of the causes of that movement, as, for example, the law by which dangerous individuals could be expelled from the State, and the law by which paupers and people suffering from contagious diseases could be prevented from entering the Republic.[33] These laws were declared to be in conflict with Article XIV. of the London Convention. Violations of Article IV. were also said to have taken place in regard

[33] Dispatches of 12th August, 1896; 21st August, 1896; 17th February, 1897. C. 8423 and C. 8721

to certain extradition and other treaties, which had been concluded between the South African Republic and Foreign Powers.[34] On the 7th May, 1897, the Government of the South African Republic dispatched a very important reply to these accusations, in which, after fully stating the reasons why the Government differed from Her Majesty's Government, an appeal was made for arbitration as being the most suitable method of settling the dispute.

This appeal was couched in the following language:

The appeal for Arbitration.

[35]"While it respects the opinion of Her British Majesty's Government, it takes the liberty, with full confidence in the correctness of its own views, to propose to Her British Majesty's Government the principle of Arbitration, with which the honourable the First Volksraad agreed, in the hope that it will be taken in the conciliatory spirit in which it is made. It considers that it has every reason for this proposal, the more so because the principle of Arbitration is already laid down in that Convention in the only case in which, according to its opinion at the time, a difference could be foreseen, to wit, with regard to Article I.; because it has already been proposed by Her British Majesty's Government, and accepted by this Government with regard to the difference in respect of Article 14 of the Convention arising in the matter of the so-called Coolie question, which was settled by Arbitration; because the Right Honourable the Secretary of State, Mr. Chamberlain, himself, in his letter of the 4th September, 1895, to His Excellency the High Commissioner at Cape Town, favours this principle in the same question, where he says: 'After 1886, as time went on, the manner in which the law was interpreted and was worked, or was proposed to be worked, gave rise to complaints on the part of the British Government, and as it seemed impossible to

[34] Dispatches of the 6th March, 1897. C. 8423
[35] Dispatch, 7th May, 1897. No. 3, C. 8721

come to an agreement by means of correspondence, the Marquis of Ripon took what is the approved course in such cases, of proposing to the South African Republic that the dispute should be referred to Arbitration. This was agreed to ...,' because the principle of Arbitration in matters such as this appears to the Government to be the most impartial, just, and most satisfactory way out of the existing difficulty, and, lastly, because one of the parties to a Convention, according to all principles of reasonableness, cannot expect that his interpretation will be respected by the other party as the only valid and correct one. And although this Government is firmly convinced that a just and impartial decision might be obtained even better in South Africa than anywhere else, it wishes, in view of the conflicting elements, interests, and aspirations which are now apparent in South Africa, and in order to avoid even the appearance that it would be able or desire to exercise influence in order to obtain a decision favourable to it, to propose that the President of the Swiss Bondstate, who may be reckoned upon as standing altogether outside the question, and to feel sympathy or antipathy neither for the one party nor for the other, be requested to point out a competent jurist, as has already often been done in respect of international disputes. The Government would have no objection that the Arbitration be subject to a limitation of time, and gives the assurance now already that it will willingly subject itself to any decision if such should, contrary to its expectation, be given against it. The Government repeats the well-meant wish that this proposal may find favour with Her British Majesty's Government; and inasmuch as the allegations of breaches of the Convention find entrance now even in South Africa, and bring and keep the feelings more and more in a state of suspense, this Government will be pleased if it can learn the decision of Her British Majesty's Government as soon as possible."

England refuses to arbitrate on ground of suzerainty.

To this the British Government replied that according to the Convention of 1884, taken in conjunction with the preamble of the Convention of 1881, the South African Republic was under the suzerainty of Her Majesty, and that it was incompatible with the subordinate position of the South African Republic to submit to Arbitration any matters in dispute as to the construction of the Convention between it and the suzerain Power.

In order to avoid any misunderstanding as to this very remarkable document, the exact wording of the British dispatch is given:--[36] "Finally, the Government of the South African Republic propose that all points in dispute between Her Majesty's Government and themselves relating to the Convention should be referred to Arbitration, the Arbitrator to be nominated by the President of the Swiss Republic. In making this proposal the Government of the South African Republic appear to have overlooked the distinction between the Conventions of 1881 and 1884 and an ordinary treaty between two independent Powers, questions arising upon which may properly be the subject of Arbitration. By the Pretoria Convention of 1881 Her Majesty, as Sovereign of the Transvaal Territory, accorded to the inhabitants of that territory complete self-government, subject to the suzerainty of Her Majesty, her heirs, and successors, upon certain terms and conditions, and subject to certain reservations and limitations set forth in 33 articles; and by the London Convention of 1884, Her Majesty, while maintaining the preamble of the earlier instrument, directed and declared that certain other articles embodied therein should be substituted for the articles embodied in the Convention of 1881. The articles of the Convention of 1881 were accepted by the Volksraad of the Transvaal State, and those of the Convention of 1884 by the Volksraad of the South African Republic. Under these Conventions, therefore, Her Majesty holds

[36] Dispatch, October, 1897. No. 7, C. 8721

towards the South African Republic the relation of a *suzerain* who has accorded to the people of that Republic self-government upon certain conditions, *and it would be incompatible with that position to submit to Arbitration the construction of the conditions on which she accorded self-government to the Republic*."

Reply of the Transvaal Government.

[37]In its celebrated reply of the 16th April, 1898, the Government of the South African Republic proved with unanswerable force that the preamble of the Convention of 1881 had been abolished, that Lord Derby had himself in 1884 proposed a draft Convention, in which the preamble was erased (see Appendix B.), and that by the ultimate acceptance of that proposal, the suzerainty had ceased to exist.

On this account, as well as for other reasons, it contended that as no suzerainty existed between the two countries, the objection to Arbitration as a means of settling disputes would disappear, and the Government reiterated their appeal to have such differences or disputes disposed of by Arbitration.

The object of the suzerainty dispute.

Naturally this was exactly what Mr. Chamberlain did not want. He was opposed to Arbitration dispute, because it would have probably led to the humiliation of the British and not of the Boer Government. The suzerainty question was introduced in the meanwhile as a "Constitutional Proposal," which might be used for the purpose of humiliating the South African Republic.

In his answer to the arguments put forward by the South African Republic,[38] Mr. Chamberlain could only persist in repeating his contention that suzerainty still existed, and did not even attempt to refute the statement that Lord Derby had himself erased the preamble of the Convention of 1881. It was clearly his opinion that Lord

[37] Dispatch, 16th April, 1898. No. 4, C. 9507

[38] Dispatch. C. 9507. Page 33

Derby had, through stupidity and thoughtlessness, abandoned the suzerainty in 1884, just as Lord Russell had abandoned the idea of obtaining the South African Republic in 1852, so that he would now, just as Shepstone in 1877, have to try and disconcert the Republic by a display of force and inflexible determination, so as not to be deprived of these eminently "Constitutional means."

The Transvaal a sovereign international state.

[39]His arguments in this dispatch, that both the suzerainty of Her Majesty and the right of the South African Republic to self-government were dependent upon the preamble of the Pretoria Convention, and that if the preamble were null and void, not only would the suzerainty but also the right to self-government disappear, were clearly designed to intimidate the South African Republic; but in other respects the argument was perfectly correct. Accordingly the Government of the South African Republic replied that it did not base its claim to self-government on the preamble of the Convention of 1881, nor on the Convention of 1884 (for no mention is made of self-government in that document), but simply on the ground of its being a sovereign international state.

In other words, it contended that the Convention of London implied that the South African Republic was a sovereign international state, and that it was therefore superfluous in that Convention to specify or define its rights. Into this answer, which is not only juridically and historically correct, but which rests on the basis of common sense, the astute High Commissioner was able to read a menace to Her Majesty's Government, although the Government of the Republic distinctly stated in that reply that it adhered to the Convention of London, an assurance which it had already made hundreds of times.

Justice of the Transvaal contention.

[39] Dispatch, 17th March, 1899. C. 9507

This is the whole history of the suzerainty dispute between the two Governments. The South African Republic had asked for arbitration on certain questions, and England, with Mr. Chamberlain as spokesman, had refused, because a suzerain Power could not be expected to settle disputes with its vassal by means of arbitration. So that according to the new principles of International Law, based on the "screw" ethics of Birmingham, it was to be judge and jury in its own disputes with other people.

The position taken up by our Government in this remarkable controversy is substantiated by the actions of Lord Derby during the negotiations about the Conventions, as well as by the following telegram, which he sent to the High Commissioner for communication to the two Republics:--

> HIGH COMMISSIONER, CAPE TOWN.
>
> *To* BRITISH RESIDENT, PRETORIA.
>
> Please inform Transvaal Government that I have received the following from the Secretary of State:--27th February. Convention signed to-day. New south-western boundary as proposed, following trade road. British Protectorate country outside Transvaal established with delegates' consent. They promise to appoint Border Commissioner inside Transvaal, co-operate with ours outside; Mackenzie--British Resident. Debt reduced to quarter million. Same complete internal independence in Transvaal as in Orange Free State. Conduct and control diplomatic intercourse Foreign Governments conceded. Queen's final approval treaties reserved. Delegates appear well satisfied and cordial feeling two Governments. You may make the above known.

This Convention is also substantiated by the express declarations of Lord Rosmead and the Rev. D.P. Faure to the effect that it was clearly understood, at the time the London Convention was concluded, that the suzerainty was abolished. It is unnecessary to add anything about the evidence of the Members of the

Transvaal Deputation. The suzerainty has thus not the slightest shadow of existence; and yet, as will be proved, Mr. Chamberlain is prepared to go to war with the South African Republic over this question, a war which will, according to his intentions, result in Annexation.

Uitlander grievances and Capitalistic agitation.

While the two Governments were occupied with this question the Capitalists were not idle. They were busy fanning the flame in another direction. It was not only a fact that Rhodesia was an unexpected failure, but it had proved far richer in native wars than in payable gold mines. The Capitalist groups possessing the greatest interests in the Witwatersrand gold mines were also the most deeply interested in Rhodesia, and it naturally occurred to them that their Transvaal mines ought also to bear the burden of their unprofitable investments in Rhodesia--an adjustment which would, however, necessitate the amalgamation of the two countries, especially when the interests of the shareholders were considered.

In order to attain this object a continual agitation was kept up at Johannesburg, so that English shareholders living far away should be prepared for the day when the Annexation would take place on Constitutional lines.

The argument which was calculated to impress these European shareholders was that the administration of the South African Republic had created a situation which was most prejudicial to the financial interests of the mining industry. Viewed from this standpoint the Uitlander grievances were an inexhaustibly rich and payable mine.

The industrial Commission.

This agitation first of all emanated directly from the Capitalists, and had assumed such proportions in 1897 that the Government decided to appoint a Commission of officials and mining magnates in order to enquire searchingly into the alleged financial grievances. As far as the

Government was concerned, the chief findings of the Commission were:--

(1). That the price of dynamite (85 shillings per case of 50lbs.) was too high under the existing concession, and that a diminution in price was desirable either by cancellation of the concession, or by testing the legality of the concession in the High Court.

(2). That the tariffs of the Netherlands Railway Company for the carriage of coal and other articles were too high, and that it was necessary to expropriate the railway.

(3). That the import duties on necessaries of life were too high, and that the cost of living in Johannesburg for workmen was too high.

(4). That stringent measures ought to be adopted in order to prevent gold thefts, and that the law for the total prohibition of drink to native labourers ought to be more strictly enforced, and that there ought to be a more stringent application of the Pass Law (under which the traffic of the native labourers was regulated).

(5). With the object of carrying out the measures specified in Section 4, the Commission recommended that an Advisory Board should be nominated for the Witwatersrand gold fields for the purpose of advising the Government as to the enforcement of the said regulations.

Results of the Commission.

To what extent was effect given to these recommendations?

Dynamite.

1. As far as dynamite is concerned, it appeared that there was no chance of contesting the concession in the law courts with any success. Nor did the Volksraad or the Government feel justified in cancelling, without the consent of the owners, a contract which had been solemnly entered into, and upon which enormous sums of money had been expended. The Mining Industry was naturally eager for cancellation, even without adequate compensation; but the public were not at that time aware of a fact which was made public some months later, namely, that the

De Beers Corporation intended to erect a dynamite manufactory, and that this agitation of the Capitalists was intended to obtain for themselves the control of this great source of income. People, however, knew that the Messrs. Chamberlain were interested in the English ammunition and dynamite house of Kynoch, but they hesitate to assume that the Colonial Secretary was actuated in his Transvaal policy by considerations of private financial interest.

The Government and Volksraad of the South African Republic adopted the wiser plan of lowering the price of dynamite to such an extent as to make it about equal to the local European price plus a protective tariff f 20s. per case.

It may here be remarked that Mr. Chamberlain, knowing how unpopular the Dynamite Concession was in the South African Republic, intimated to the Government of the South African Republic, in a very threatening manner, that the Concession was in conflict with the London Convention.

The answer of the Government to this communication was so crushing that Mr. Chamberlain did not again return to the subject. In this he was, no doubt, also actuated by the fact that the most renowned English and European jurists had advised that the concession was in no sense a breach of the Convention. This, however, only became known later, and it is merely referred to now so as to show that no stone was left unturned in order to find a means of humiliating the South African Republic.

The Netherlands Railway Company.

2. With regard to the Netherlands South African Railway Company, it would appear that the Capitalists have altered their opinion, and now think that the administration of the Company is as good as can reasonably be expected, and that expropriation is now unnecessary. Perhaps, from their point of view, it would be better to buy up the shares of the Company, and thus become themselves masters, instead of the Government, of this source of income.

Respecting the Railway tariff, it is fair to assume that the cause of dissatisfaction has disappeared, for no complaints are now heard since the tariff was lowered in accordance with the recommendations of the Commission.

Reduction of import duties

This change in the tariff, together with the abolition of duties on nearly all necessaries of life have made a difference of about £700,000 in the income of the State during the last year. It will be admitted that this is an enormous item in comparison with the total income of the South African Republic. The above tends to show how anxious the Government of the South African Republic has been to remove all grievances as soon as it was proved that they actually existed.

Liquor, Pass, and Gold Thefts Laws.

3. As regards the administration of the Liquor Law, the Pass Law, and the Law dealing with Gold thefts, neither the Government nor the Volksraad felt at liberty to adopt the recommendation as to constituting an Advisory Board on the Witwatersrand. They decided to go deeper to the roots of the evil, and so altered the administration of the Laws that the evidences of dissatisfaction have disappeared. Indeed, no one ever hears of gold thefts now, and the representative bodies of the mining industry have repeatedly expressed their satisfaction with the administration of the Pass Law, and especially with that of the Liquor Law.

The Liquor Law.

In this very Liquor Law we have a test of a good administration. From the very nature of the drink question it is one of the most difficult laws that a Government can be called upon to administer, and the measure of success which has attended the efforts of the Government and its officials proves conclusively that the charges of incompetency so frequently brought against the Government of the South African Republic were devoid of truth, and were only intended to slander and to injure the Republic. A combined meeting of the Chamber of Mines, the Chamber of Commerce, and the Association of Mine

Managers--the three strongest and most representative bodies on the Witwatersrand Gold Fields--passed the following resolutions,[40] which speak for themselves:--

> 1. This combined Meeting, representing the Chamber of Mines, the Chamber of Commerce, and the Mine Managers' Association, desires to express once more its decided approval of the present Liquor Law, and is of opinion that prohibition is not only beneficial to the Natives in their own interest, but is absolutely necessary for the Mining Industry, with a view of maintaining the efficiency of labour.
>
> 2. This Meeting wishes to express its appreciation of the efforts made to suppress the Illicit Liquor Trade by the Detective Department of this Republic since it has been placed under the administration of the State Attorney, and is of opinion that the success which has crowned these efforts fully disproves the contention that the Liquor Law is impracticable.

The first resolution was carried by an overwhelming majority, and the second unanimously.

Compare this declaration of the representatives of the Mining and Commercial interests of the Witwatersrand with the allegation repeated by Mr. Chamberlain in his great "grievance" dispatch of the 10th May, 1899[41] --that the Liquor Law had never been strictly enforced, but that this law was simply evaded, and that the Natives at the mines were supplied with drink in large quantities.

When Mr. Chamberlain wrote these words they were absolutely untrue, and, like all his grievances, are of an imaginary character.

The results have clearly shown that the Government was quite correct in its conclusion

[40] 17th August, 1899

[41] Dispatch, 10th May, 1899. No. 83, C. 9345

that it was better to alter the administration of the laws complained of, than to adopt a principle (the advisory board), the consequences and eventual outcome of which no one was able to foresee.

The South African League.

The agitation in connection with the report of the Industrial Commission was followed by a great calm. If it had not been that the handling of the Swazie difficulty by the British Government gave colour to suspicion, one might have thought that there was no cloud upon the horizon. To a superficial observer, the two Governments seemed to be on the best and most friendly footing, and some of us actually began to think that the era of the fraternal co-operation of the two races in South Africa had actually dawned, and that the cursed Raid and its harvest of race hatred and division would be forgotten. Certain circumstances, however, indicated clearly that the enemy was occupied in a supreme effort to cause matters to culminate in a crisis.

The South African League, a political organisation which sprang up out of, and owed its origin to, the race hatred which the Jameson Raid had called into being, and at the head of which Mr. Rhodes himself stands (a fact which places Capitalistic influence in a very clear light), began towards the latter part of last year to agitate against the Government in the most unheard-of way.

The individuals who stood at the head of this institution in Johannesburg were such that very little attention was paid to the League. It was, however, soon clearly shown that not only was the movement strongly assisted by the Capitalists, and strongly supported all along the mines, but that there was a close relationship in a mysterious way with Cape Town and London. The events of the last few months have brought this out very clearly. Meetings were arranged, memorials to Her Majesty about grievances were drawn up, and an active propaganda was preached in the Press; this all proved in a convincing way that a carefully planned

campaign had been organised against the Republic.

As the Government of the South African Republic has set forth the trend of the agitation as well as the connection of the British Government with it in an official despatch, it is desirable to quote the language itself:--[42] "But this Government wishes to go further. Even in regard to those Uitlanders who are British subjects it is a small minority which, under the pretext of imaginary grievances, promotes a secret propaganda of race hatred, and uses the Republic as a basis for fomenting a revolutionary movement against this Government. Ministers of Her Majesty have so trenchantly e expressed the truth about this minority that this Government wishes to quote the very words of these Ministers, with the object of bringing the actual truth to the knowledge of Her Majesty's Government, as well as to that of the whole world, and not for the purpose of making groundless accusations."

"The following words are those of the Ministers of the Cape Colony, who are well acquainted with local conditions, and fully qualified to arrive at a conclusion":--

"In the opinion of Ministers the persistent action, both beyond and within this Colony, of the political body styling itself the South African League in endeavouring to foment and excite, not to smooth and allay ill-will between the two principal European races inhabiting South Africa, is well illustrated by these resolutions, the exaggerated and aggravated terms of which disclose the spirit which informs and inspires them."

"His Excellency's Ministers are one in their earnest desire to do all in their power to aid and further a policy of peaceful progress throughout South Africa, and they cannot but regard it as an unwise propagandism, hostile to the true interests of the Empire, including this Colony as

[42] Dispatch of the Transvaal Government, 26th September, 1899. Appendix C

an integral part, that every possible occasion should be seized by the League and its promoters for an attempt to magnify into greater events minor incidents, when occurring in the South African Republic, with a prospect thereby of making racial antagonism more acute, or of rendering less smooth the relations between Her Majesty's Government or the Government of this Colony and that Republic."

"Race hatred is, however, not so intense in South Africa as to enable a body with this propaganda, aiming at revolutionary objects, to obtain much influence in this part of the world; and one continually asks oneself the question--'How is it that a body, so insignificant both in regard to its principles and its membership, enjoys such a large measure of influence?' The answer is that this body depends upon the protection and the support of Her Majesty's Government in England, and that both its members and its organs in the Press openly boast of the influence they exert over the policy of Her Majesty's Government. This Government would ignore such assertions; but when it finds that the ideas and the shibboleths of the South African League are continually echoed in the speeches of members of Her Majesty's Government, when it finds that blue books are compiled chiefly from documents prepared by officials of the South African League, as well as from reports and leading articles containing 'malignant lies' taken from the press organs of that organisation, thereby receiving an official character, then this Government can well understand why so many of Her Majesty's right-minded subjects in this part of the world have obtained the impression that the policy advocated by the South African League is supported by Her Majesty's Government, and is thus calculated to contribute to the welfare and blessing of the British Empire."

"If this mistaken impression could be removed, and if it could be announced as a fact that the South African League, as far as its actions in the South African Republic are concerned, is only an organisation having as its object the fomentation

of strife and disorder and the destruction of the independence of the Country, then it would very soon lose its influence, and the strained relations existing between the two Governments would quickly disappear. The Africander population of this country would not then be under the apprehension that the interests of the British Empire *imperatively demand* that the Republic should be done away with, and its people be either *enslaved or exterminated*. Both sections of the white inhabitants of South Africa would then return to the fraternal co-operation and fusion which was beginning to manifest itself when the treacherous conspiracy at the end of 1895 awakened the passions on both sides."

As a result of the continual agitation of the South African League, three occurrences were selected and elevated by Mr. Chamberlain into culminating instances of the Uitlander grievances. To give the world a clear insight into the nature of the grievances in general, extracts are given from the official accounts both of the British and the Republican account of these occurrences. There were three--the "Lombard affair," with reference to the maltreatment of coloured British subjects at Johannesburg; the "Edgar case," in connection with the shooting of an English subject by a police official; and the "Amphitheatre occurrence," in regard to a disorderly meeting of the South African League.

a. The Lombard Incident.

With regard to the "Lombard incident," Mr. Chamberlain says:--[43] "As an instance of such arbitrary action the recent maltreatment of coloured British subjects by Field Cornet Lombard may be cited. This official entered the houses of various coloured persons without a warrant at night, dragged them from their beds, and arrested them for being without a pass. The persons so arrested were treated with much cruelty, and it is even alleged that one woman was prematurely confined, and a child subsequently died from the consequences of the

[43] Dispatch, 10th May, 1899. Blue Book, C. 9345. Page 229

fright and exposure. Men were beaten and kicked by the orders of the Field Cornet, who appears to have exercised his authority with the most cowardly brutality. The Government of the Republic, being pressed to take action, suspended the Field Cornet, and an enquiry was held, at which he and the police denied most of the allegations of violence; but the other facts were not disputed, and no independent evidence was called for the defence. The Government have since reinstated Lombard.

"Unfortunately this case is by no means unparalleled. Other British subjects, including several from St. Helena and Mauritius, have been arbitrarily arrested, and some of them have been fined, without having been heard in their own defence, under a law which does not even profess to have any application to persons from those Colonies.

"However long-suffering Her Majesty's Government may be in their anxious desire to remain on friendly terms with the South African Republic, it must be evident that a continuance of incidents of this kind, followed by no redress, may well become intolerable."

The answer of the Government of the South African Republic was as follows:--[44] "With reference to the Lombard case, this Government wishes to point out that no complaint was lodged with any official in this Republic for a full month after the illtreatment of Cape coloured people was alleged to have taken place, and that neither the Government nor the public was aware that anything had taken place. The whole case was so insignificant that some of the people who were alleged to have been illtreated declared, under oath, at a later period before a court of investigation that they would never have made any complaint on their own initiative. What happened, however?

"About a month after the occurrence the South African League came to hear of it; some of its officials sent round to collect evidence from the parties who were alleged to have been illtreated,

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and some sworn declarations were obtained by the help of Her Majesty's Vice-Consul at Johannesburg (between whom and this League a continual and conspicuous co-operation has existed). Even then no charge was lodged against the implicated officials with the judicial authorities of the country, but the case was put in the hands of the Acting British Agent at Pretoria.

"When the allegations were brought under the notice of this Government, they at once appointed a commission of enquiry, consisting of three members, namely, Landdrost Van der Berg, of Johannesburg, Mr. Andries Stockenstrom, barrister-at-law, of the Middle Temple, head of the Criminal Section of the State Attorney's Department, and Mr. Van der Merwe, Mining Commissioner, of Johannesburg; gentlemen against whose ability and impartiality the Uitlander population of the Republic have never harboured the slightest suspicion, and with whose appointment the Acting British Agent also expressed his entire satisfaction. The instructions given to those officials were to thoroughly investigate the whole case, and to report the result to the Government; and they fulfilled these instructions by sitting for days at a time, carefully hearing and sifting the evidence of both sides. Every right-minded person readily acknowledges that far greater weight ought to be attached to the finding of this Commission than to the declarations of the complainants, who contradicted one another in nearly every particular, and who caused the whole enquiry to degenerate into a farce."

"According to the report, nothing was proved as to the so-called illtreatment; the special instances of alleged illtreatment turned out to be purely imaginary; but it was clearly proved and found that the complainants had acted contrary to law, and the Commission only expressed disapproval of the fact that the arrests and the investigation had taken place at night, and without a proper warrant. It fills this Government with all the greater regret to observe that Her Majesty's Government bases its charges on *ex parte*, groundless, and, in many respects, false

declarations of complainants who have been set in motion by political hatred, and that it silently ignores the report of the Commission."

***b.* The Edgar Case.**

Mr. Chamberlain represented the Edgar case in the following way:--[45] "But perhaps the most striking recent instance of arbitrary action by officials, and of the support of such action by the Courts, is the well-known Edgar case. The effect of the verdict of the jury, warmly endorsed by the Judge, is that four policemen breaking into a man's house at night without a warrant, on the mere statement of one person, which subsequently turned out to be untrue, that the man had committed a crime, are justified in killing him there and then because, according to their own account, he hits one of them with a stick. If this is justification, then almost any form of resistance to the police is justification for the immediate killing of the person resisting, who may be perfectly innocent of any offence. This would be an alarming doctrine anywhere. It is peculiarly alarming when applied to a city like Johannesburg, where a strong force of police armed with revolvers have to deal with a large alien unarmed population, whose language in many cases they do not understand. The emphatic affirmation of such a doctrine by Judge and jury in the Edgar case cannot but increase the general feeling of insecurity amongst the Uitlander population, and the sense of injustice under which they labour. It may be pointed out that the allegation that Edgar assaulted the police was emphatically denied by his wife and others, and that the trial was conducted in a way that would be considered quite irregular in this country, the witnesses for the defence being called by the prosecution, and thereby escaping cross-examination."

The answer of the Government of the South African Republic was:--[46] "The Edgar case is referred to by your Government as the most

[45] Dispatch, 10th May, 1899. C. 9345. Page 229

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striking recent instance of arbitrary action by officials, and of the support of such action by the Courts," and this case is quoted as a conclusive test of the alleged judicial maladministration of this Republic; it will, therefore, be of interest to pause for a moment and consider it. What are the true facts?

"A certain Foster, 'an Englishman,' was assaulted and felled to the ground, without any lawful cause, by a man named Edgar during the night of the 18th December, 1898; he lay on the ground as if dead, and ultimately died in the hospital. Edgar escaped to his room, and some police came on the scene, attracted by the screams of the bystanders. Amongst the police was one named Jones. When they saw the man who had been assaulted lying as if dead, they went to Edgar's apartment in order to arrest him as a criminal (he had, indeed, rendered himself liable for manslaughter, and apparently for murder). As he was caught in the very act, the police officers were, according to the Laws, not only of this Republic, but of all South Africa and of the United Kingdom of Great Britain and Ireland, justified in breaking open the door in order to arrest the culprit. While doing so, Edgar, with a dangerous weapon, struck Jones a severe blow. Under the stress of necessity the latter shot Edgar, from the effects of which he died. The question is not if Jones was justified in taking this extreme step, for the State Attorney of the Republic had already given effect to his opinion that this was a case for the jury by prosecuting him for manslaughter. The question is solely whether any jury in any country in the world would have found a man guilty of any crime under the circumstances set forth, and whether, if they did not find him guilty, the fact of their doing so would have been stamped and branded as a flagrant and remarkable instance of the maladministration of Justice.

"This Government is convinced that the English judicial administration affords numberless instances where the facts are as strong as in this case, and it cannot see why an occurrence which could happen in any part of the world would be

especially thrown in their teeth in the form of an accusation.

"This Government does not wish to pass over in silence the censure which has been passed by Her Majesty's Government on the Public Prosecutor of Johannesburg, by whom the prosecution of this case was conducted; the fact that being of pure English blood, that he received his legal training in London, that he is generally respected by the Uitlander population on account of his ability, impartiality, and general character, will naturally not be of any weight with Her Majesty's Government against the facts of his action in calling witnesses for the prosecution who were intended for the defence, and thus rendering an imaginary cross-examination abortive.

"This Government only wishes to point out that the fact that the Edgar case is the strongest which Her Majesty's Government has been able to quote against the administration of Justice in this Republic affords the strongest and most eloquent proof possible that, taking it in general, the administration of Justice on the gold fields of this Republic not only compares favourably with that on other and similar gold fields, but even with that of old and settled countries.

"The untrue representations of this occurrence in the Press prove conclusively that the newspapers of the Witwatersrand, the atrocity-mongering tactics of which constitute a share of the organised campaign against the Republic and its Government, have been compelled to resort to mendacious criticisms on imaginary instances of maladministration, which were often simply invented. Where the Press is forced to adopt such methods, the true grievances must of necessity be unreal."

c. The Amphitheatre occurence.

I now give Mr. Chamberlain's accusations about The the Amphitheatre occurrence:--[47] "Some light upon the extent to which the police can be

[47] Dispatch, 10th May, 1899. Blue Book, C. 9345. Page 229

trusted to perform their delicate duties with fairness and discretion is thrown by the events referred to by the petitioners, which took place at a meeting called by British subjects for the purpose of discussing their grievances, and held on the 14th of January in the Amphitheatre of Johannesburg. The Government were previously apprised of the objects of the meeting, and their assent obtained, though this was not legally necessary for a meeting in an inclosed place. The organisers of the meeting state that they were informed by the State Secretary and the State Attorney that anyone who committed acts of violence or used seditious language would be held responsible, and in proof of the peaceful objects of the meeting, those who attended went entirely unarmed, by which it is understood that they did not even carry sticks. So little was any disturbance apprehended that ladies were invited to attend, and did attend. Yet, in the result, sworn affidavits of witnesses of different nationalities agree in the statement that the meeting was broken up almost immediately after its opening, and many of the persons attending it were violently assaulted by organised bands of hostile demonstrators, acting under the instigation and guidance of persons in Government employ, without any attempt at interference on the part of the police, and even in some cases with their assistance or loudly expressed sympathy.

"The Government of the South African Republic has been asked to institute an inquiry into these disgraceful proceedings, but the request has been met with a flat refusal."

This accusation was answered in the following manner:--[48] "The Amphitheatre occurrence is used by Her Majesty's Government to show how incapable the police of the Witwatersrand are to fulfil their duties and to preserve order. The League meeting was held at the so-called Amphitheatre at Johannesburg, with the knowledge of the State Secretary and State Attorney, and the accusation is that in spite of that fact the uproar which arose at that meeting was not quelled by the police. The following are

[48] Appendix C

the true facts:--Mr. Wybergh and another, both in the service of the South African League, informed the State Secretary and the State Attorney that they intended to call this meeting in the Amphitheatre, and asked permission to do so. They were informed that no permission from the authorities was necessary, and that as long as the meeting did not give rise to irregularities or disturbances of the peace, they would be acting entirely within their rights. Their attention was then drawn to the fact that owing to the action and the propaganda of the South African League, this body had become extremely unpopular with a large section of the inhabitants of Johannesburg, and that in all probability a disturbance of the peace would take place if a sufficient body of the police were not present to preserve order. To this these gentlemen answered that the police were in very bad odour since the Edgar case, that the meeting would be a very quiet one, and that the presence of the police would contribute or give rise to disorder, and that they would on those grounds rather have no police at all.

"The State Secretary and State Attorney thereupon communicated with the head officials of the police at Johannesburg, with the result that the latter also thought that it would be better not to have any considerable number of police at the meeting. The Government accordingly, on the advice of these officials of the League as well as their own police officials, gave instructions that the police should remain away from this meeting; they did this in perfect good faith, and with the object of letting the League have its say without let or hindrance. The proposed meeting was, however, advertised far and wide. As the feeling amongst a section of the Witwatersrand population was exceedingly bitter against the League, a considerable number of the opponents of that body also attended the meeting. The few police who were present were powerless to quell the disorder, and when the police came on the scene in force some few minutes after the commencement of the uproar, the meeting was already broken up. Taken by itself, this occurrence would not be of much importance, as it is an isolated instance as far as the gold fields

of this Republic are concerned, and even in the best organised and best ordered communities irregularities like the above occasionally take place.

"The gravity of the matter, however, lies in the unjust accusation of Her Majesty's Government--that the meeting was broken up by officials of this Republic, and that the Government had curtly refused to institute an enquiry.

"This Government would not have refused to investigate the matter if any complaints had been lodged with it, or at any of the local Courts, and this has been clearly stated in its reply to Her Majesty's request for an investigation.

"This Government objects strongly to the systematic way in which 'the local authorities are ignored, and the continual complaints which are lodged with the Representatives of Her Majesty about matters which ought to be decided by the Courts of this Republic. Instead, however, of complaining to Her Majesty's Government after all other reasonable means of redress have been vainly invoked, they continually make themselves guilty of ignoring and treating with contempt the local Courts and authorities by continually making all sorts of ridiculous and *ex parte* complaints to Her Majesty's Government in the first instance; Her Majesty's Government is also thereby placed in the equivocal and undesirable position of intermeddling in the internal affairs of this Republic, which is in conflict with the London Convention. Had the complaints been lodged with this Government, or with the proper officials or Courts, the facts could have been very easily arrived at, and it would have been proved that the few officials who were present at the meeting as a section of the public had done their best to prevent the irregularities, and that some of them had been hurt in their endeavours to preserve order. Instead of expressing their disapproval of such complaints, and referring the petitioners to the local Courts, Her Majesty's Government accepts those complaints, a and gives them an official character by forwarding them for the information

of this Government, and by publishing them in blue books for the information of the world.

"Her Majesty's Government will readily acknowledge that there is no State in the world with any sense of dignity, however weak and insignificant it may be, which can regard such matters with an indifferent eye; and when the relations of the two Governments are strained, then the mainspring must be looked for in this action of its subjects, which is not disapproved of by Her Majesty's Government, and not in imaginary or trumped-up grievances."

I have now examined the principal financial and administrative grievances of the English Uitlanders. I say English Uitlanders advisedly, because complaints are seldom or ever heard from other nationalities, either directly or by means of diplomatic representations.

Can it be contended with the slightest shadow of right and fairness that these grievances afford a reason for intervention? What crimes have been committed here against humanity or the law of nations? Do not the recorded grievances and abuses find a parallel in occurrences which are taking place every day in the most civilised countries? One can with perfect justice apply to the present circumstances the language which the Russian Government used in stigmatising the illegal intervention of the British Government in the internal affairs of the Kingdom of Naples[49]:--

"We would understand that, as a consequence of friendly forethought, one Government should give advice to another in a benevolent spirit; that such advice might even assume the character of exhortation; but we believe that to be the furthest limit allowable. Less than ever can it now be allowed in Europe to forget that sovereigns are equal among themselves, and that it is not the extent of territory, but the sacred character of the rights of each, which regulates the relations that exist between them. To endeavour to obtain from the King of Naples concessions as regards the internal government of his States by threats, or

[49] *Life of Prince Consort*, Vol. III., page 510

by a menacing demonstration, is a violent usurpation of his authorities, an attempt to govern in his stead; it is an open declaration of the right of the strong over the weak."

In spite of all its hypocritical accusations, the British Government is perfectly well aware that, notwithstanding the unparalleled difficulties with which the Government and the Legislature have had to contend, the administration of the South African Republic is on a sound basis, and can, indeed, be favourably compared with that of other countries in a similar position.

It knows full well that the grievances which are used, by means of blue books, to stir up and excite the altruistic and humane feelings of the British public are for the most part imaginary, and that even if they were perfectly genuine, they nevertheless afford no ground for a justifiable interference in the internal affairs of the Republic. It is therefore necessary to have recourse to "Constitutional means" of another description.

Equal political rights.

The third and last "Constitutional" method which Mr. Chamberlain has had recourse to in order to forcibly intermeddle in the internal affairs of the South African Republic is the claim of equal rights for all the white inhabitants of the South African Republic. In this claim he has also followed the inspiration of Mr. Rhodes, for after the Jameson Raid Mr. Rhodes was prepared with a new programme for the "progressive policy" of South Africa, and made use of the formula "Equal rights for all white people south of the Zambesi." Mr. Rhodes altered this cry afterwards, with an eye to the coloured vote in the Cape Colony, to "Equal rights for all civilised persons south of the Zambesi."

In due time the echo resounded from Downing Street "Equal political rights for all persons in the South African Republic." This formula may be either desirable or undesirable as a political aspiration in South Africa. But it is somewhat strange that Mr. Chamberlain should be one of the leaders of the party in England which has

strenuously opposed the policy of manhood suffrage. In our case, however, Mr. Chamberlain does not confine himself to friendly advice, but he *demands* the franchise for all Uitlanders.

The South African Republic already possesses a franchise law, according to which every person is entitled to the full franchise after a seven years' residence in the Republic. But Mr. Chamberlain goes much further, and claims a far more extensive franchise. On what grounds does he base his claim?

The Royal Commission.

He appeals to the discussions which formed a prelude to the Convention of 1881. In the discussions, however, mention is only made of burgher rights or civil rights, with reference to which all possible equality has continuously existed since the Sand River Convention. To safeguard the equality of those civil as distinguished from political rights, Art. 12 of the Pretoria Convention provides "all persons (Her Majesty's loyal subjects) will have full liberty to reside in the country with the enjoyment, of all civil rights, and protection for their persons and property."

The period of the franchise was increased in 1882 from one year to five years, without, however, any protest from Her Majesty's Government, and in 1884 it was provided in the new Convention of that year in the most express and clear way possible that:--

> (*Art. XIV.*).--All persons, other than natives, conforming themselves to the laws of the South African Republic (*a*) will have full liberty with their families, to enter, travel, or reside in any part of the South African Republic; (*b*), they will be entitled to hire or possess houses, manufactories, warehouses, shops, and premises; (*c*), they may carry on their commerce either in person or by any agents whom they may think fit to employ; (*d*), they will not be subject, in respect of their persons or property, or in respect of their commerce or industry, to any taxes, whether general or local, other than those which are or

may be imposed upon citizens of the said Republic.

In this way all white Uitlanders were guaranteed in their rights of free movement, ownership, and possession of property, trade, and commerce, and equal taxation with the burghers. There is no mention of political rights, nor has there ever been before this year--1899. The Government of the South African Republic would be acting strictly in terms of the Convention if it informed Mr. Chamberlain that it alone has to determine upon the Franchise, as being a question of a purely internal nature; and further, that in claiming the right in terms of that Convention to force the Government to adopt a particular Franchise Law Mr. Chamberlain is the party who is violating the Convention.

The Bloemfontein Conference.

The Government of the South African Republic, however, took up a higher position; the State President went to Bloemfontein for the purpose of discussing even internal affairs in a friendly spirit with the High Commissioner--_inter alia_--the question of the franchise, as he was actuated by the wish to consolidate and promote the peace of South Africa.[50] Sir Alfred Milner said there: "If the question could be settled upon a broad and firm basis, the tension would disappear and everything come right in time." He has done his best latterly to prove that he did not say or mean anything of the kind, that the franchise question was only one of the burning internal matters in which Her Majesty's Government interested itself, and that a favourable understanding about the franchise would in no way pave the way to an agreement as to the other points of difference.

Sir Alfred Milner's attitude.

The attitude of Sir Alfred Milner in this and other questions is, however, of such a nature that it is better to say nothing about his conduct, but to leave him to the judgment of public opinion and history. No agreement being possible between the parties, President Kruger left

[50] Blue Book, C. 9404

Bloemfontein and amended the Franchise Law in such a way that the Orange Free State, the Africanders of Cape Colony, and even Mr. Schreiner, Premier of the Cape Colony, publicly signified their approval of the amendments which had been made.

The joint Commission of Enquiry.

Mr. Chamberlain now discarded the appearance of friendliness, and began to adopt a menacing tone in his communications to the Government of the South African Republic. He proposed that the question as to whether the new Franchise Law was satisfactory or not should be discussed by a Joint Commission.

In the meanwhile, owing to informal conversations between the State Attorney and the British Government, there seemed to be a reasonable prospect of a speedy and satisfactory settlement.[51] The British Government, on being sounded by its agent, announced that if a five years' franchise, unhampered by complicated conditions, and with a quarter representation for the gold fields, were conceded, it would be prepared to consider the conditions, upon which the proposal depended, on their merits, and would not consider such a proposal as a refusal to accept the Joint Enquiry. The conditions were that (*a*) no further interference should take place; (*b*), that the claim of suzerainty should drop; and (*c*) that further disputes should be settled by Arbitration. As soon, however, as the proposal was formally made the British Government refused to accept the condition with regard to the dropping of the suzerainty claim, notwithstanding the fact that the High Commissioner had declared in an official dispatch that the suzerainty controversy appeared to him to be etymological and not political.[52] Shortly afterwards the British Government made what was practically the same proposal, but *without* the condition as to the dropping of the suzerainty claim.

[51] Blue Book, C. 9530

[52] Blue Book, C. 9507. Page 6

Bad faith of the British Government.

As the Government of the South African Republic attached a vital importance to this condition, in view maintaining its international status, it refused to accept the proposal in this form; it, however, now reverted to the invitation for a joint enquiry, which it agreed to accept, but the British Government replied that it was too late, and that as a matter of fact it no longer adhered to the invitation.

Here we see in the clearest light--

(1). That, although the High Commissioner had stated that the suzerainty was only a question of etymological importance, that although the British Government had never been able to refute the arguments advanced by the South African Republic as to the abolition of the suzerainty in 1884, the British Government was nevertheless determined not to abandon its pretension, and is now prepared to make war in South Africa over this point.

(2). That the British Government invites the South African Republic to a joint enquiry, and, when this invitation, which had never been withdrawn, is accepted, the acceptance is refused with every mark of contempt.

Is there any instance in the history of civilised diplomacy of such trickery and such callous jugglery with the highest interests of South Africa?

Can anyone wonder that South Africa has lost all confidence in British statesmanship?

The British name has been sullied in this part of the world by many perfidious actions, but of a truth I cannot instance any more despicable and repellent incidents than those which have marked the course of events during the last few months.

And the consequence of this trickery will be written with the blood and the tears of thousands of innocent people.

CONCLUSION

I have now reviewed all the facts connected with the history of our oppression and persecution during the past hundred years. The allegations I have made are not invented, but are based upon the statements of the most reliable witnesses, nearly all of them of British nationality; they are facts that have been declared incontestable before the tribunal of history. As far as the more recent occurrences since 1898 are concerned, I may state that I have had personal knowledge of all the negociations and questions at issue above referred to, and I can only declare that I have confined myself to facts; these will stand out in a much clearer light when the curtain is raised and the events of the last two years in this sorely afflicted part of the world are revealed.

In this awful turning point in the history of South Africa, on the eve of the conflict which threatens to exterminate our people, it behoves us to speak the truth in what may be, perchance, our last message to the world. Even if we are exterminated the truth will triumph through us over our conquerors, and will sterilise and paralyse all their efforts until they too disappear in the night of oblivion.

Up to the present our people have remained silent; we have been spat upon by the enemy, slandered, harried, and treated with every possible mark of disdain and contempt. But our people, with a dignity which reminds the world of a greater and more painful example of suffering, have borne in silence the taunts and derision of their opponents; indeed, they elected out of a sense of duty to remedy the faults and abuses which had crept into their public administration during moments of relaxed vigilance. But even this was ascribed to weakness and cowardice. Latterly our people have been represented by influential statesmen and on hundreds of platforms in England as incompetent, uncivilised, dishonourable, untrustworthy, corrupt, bloodthirsty, treacherous, etc., etc., so that not only the British public, but nearly the whole world, began to believe that we stood on the same level as the wild beasts. In the

face of these taunts and this provocation our people still remained silent. We were forced to learn from formal blue books issued by Her Majesty's Government and from dispatches of Her Majesty's High Commissioner in South Africa that our unscrupulous State Government, and our unjust, unprincipled, and disorderly administration, was a continual festering sore, which, like a pestilential vapour, defiled the moral and political atmosphere of South Africa. We remained silent. We were accused in innumerable newspapers of all sorts of misdeeds against civilisation and humanity; crimes were imputed to us, the bare narration of which was sufficient to cause the hair to rise with horror. If the reading public believe a hundredth part of the enormities which have been laid at the door of our people and Government, they must be irresistibly forced to the conclusion that this Republic is a den of thieves and a sink of iniquity, a people, in fact, the very existence of which is a blot upon humanity, and a nuisance to mankind. Of the enormous sums which we are alleged to have spent out of the Secret Service Fund in order to purchase the good opinion of the world there has been no practical result or evidence, for the breath of slander went on steadily increasing with the violence of a hurricane. But our people remained silent, partly out of stupidity, partly out of a feeling of despairing helplessness, and partly because, being a pastoral people, they read no newspapers, and were thus unaware of the way in which the feeling of the whole world was being prejudiced against them by the efforts of malignant hate.

The practical effect has been that our case has been lost by default before the tribunal of public opinion. That is why I feel compelled to state the facts which have characterised the attitude of the British towards us during the Nineteenth century. Naboth's title to his vineyard must be cancelled. The easiest way of securing that object, according to the tortuous methods of British diplomacy, was to prove that Naboth was a scoundrel and Ahab an angel. The facts which have marked Ahab's career have been stated. I

shall now proceed to draw my conclusions, which I submit must appeal irresistibly to every impartial and right-minded person.

During this century there have been three periods which have been characterised by different attitudes of the British Government towards us. The first began in 1806, and lasted until the middle of the century. During this period the chief feature of British policy was one of utter contempt, and the general trend of British feeling in regard to our unfortunate people can be summarised by the phrase, "The stupid and dirty Dutch." But the hypocritical ingenuity of British policy was perfectly competent to express this contempt in accents which harmonised with the loftiest sentiments then prevailing. The wave of sentimental philanthropy then passing over the civilised world was utilised by the British Government in order to represent the Boers to the world as oppressors of poor peace-loving natives, who were also men and brethren eminently capable of receiving religion and civilisation.

It may seem inexplicable that the Power which stood up boldly at the Treaty of Utrecht as the shameless champion of negro slavery was the very one which was celebrated in South Africa for its morbid love of the natives; the explanation, however, is that it was not so much love for the native that underlay the apparent negrophilistic policy as hatred and contempt of the Boer. As a result of this hatred of the Boer, disguised under the veneer of philanthropy in regard to the aborigines, the natives were employed as police against us; they were provided with arms and ammunition to be used against us; they were incited to fight us, and, wherever it was possible, they murdered and plundered us. In fact, our people were forced to bid farewell to the Cape Colony and all that was near and dear to them, and seek a shelter in the unknown wilderness of the North.

As an ultimate result of this hatred, our people had to pursue their pilgrimage of martyrdom throughout South Africa, until every portion of that unhappy country has been painted red with

the blood, not so much of men capable of resistance as with that of our murdered and defenceless women and children.

The second period lasted until the year 1881. The fundamental principle then underlying British policy was no longer one of unqualified hatred. Results had already proved that hatred was powerless to subdue the Africander; it had, on the other hand, contributed largely to the consolidation of Africanderdom and to the fact that they spread over the whole of South Africa, thus forming the predominant nationality almost everywhere. In a moment of disinterestedness or absent-minded dejection England had concluded treaties with the Boers in 1852 and 1854, by which they were guaranteed in the undisturbed possession of certain wild and apparently worthless tracts of territory.

The fundamental sentiment which governed the policy of the second period was a feeling of regret at having made this mistake, coupled with the firm determination to set aside its results. These wild and useless tracts, which had been guaranteed to the Boers, appeared to be very valuable after the Boers had rescued them from barbarism, and opened them up for civilisation. It was felt that they ought to gleam amongst the jewels of Her Majesty's Crown, notwithstanding the obstacle in the treaties that had been concluded with the Boers. This was the concealed intention. As far as the means were concerned--they were, from the very exigency of inborn hypocrisy, partly revealed and partly concealed; the one differing from the other, as light from darkness. The secret means consisted in arming the Kaffir tribes against us in the most incredible manner, and in inciting them to attack us in violation of solemn treaties and promises. If this policy succeeded the real objects and means could be suppressed, and England could then come forward and pose openly as the champion of peace and order, and as the guardian angel of civilisation in this part of the world. The Republics could then be annexed under cover of these plausible pretexts. This policy failed as far as the Orange Free State was concerned, because the brave burghers of the

neighbouring Republic succeeded, after great difficulty, in overcoming Moshesh, notwithstanding the fact that their arms and ammunition had been illegally stopped by the British Government. England was compelled in that case to confine itself to the protection of its "Basuto" tools. The British, however, succeeded in preventing the Boers from reaping the legitimate fruits of their victory, and in annexing the Diamond Fields--a flagrantly illegal act.

As far as the South African Republic is concerned, it was unfortunate that the burghers were not vigilant enough to foresee and prevent the crafty policy of the enemy. As the Transvaal Boers had subdued the most powerful Kaffir tribes, they never dreamt that the insignificant Kaffir wars in which they had been involved through English intrigue would have been seized as a pretext to annex their country to the British Crown. They had been remiss in not putting their full force into the field so as to bring these little wars to a speedy conclusion. And so the Magato and Socoecoeni campaigns were conducted in a protracted and half-hearted way, much to the satisfaction of Sir Theophilus Shepstone, and those who were at his back.

The Annexation was brought about. It was announced that the extension of Her Majesty's sway and protection over the South African Republic could alone secure unity of purpose and trade, as well as open out a prospect of peace and prosperity. In these words of Shepstone's proclamation we see in all its repulsive nakedness the hypocrisy which openly masqueraded in the guise of the disinterested and pitiful Samaritan, while its true and secret object was to inflict a fatal wound upon the burgher Republic.

The third period of our history is characterised by the amalgamation of the old and well-known policy of fraud and violence with the new forces of Capitalism, which had developed so powerfully owing to the mineral riches of the South African Republic. Our existence as a people and as a State is now threatened by an unparalleled combination of forces. Arrayed

against us we find numerical strength, the public opinion of the United Kingdom thirsting and shouting for blood and revenge, the world-wide and cosmopolitan power of Capitalism, and all the forces which underlie the lust of robbery and the spirit of plunder. Our lot has of late become more and more perilous. The cordon of beasts of plunder and birds of prey has been narrowed and drawn closer and closer around this poor doomed people during the last ten years. As the wounded antelope awaits the coming of the lion, the jackal, and the vulture, so do our poor people all over South Africa contemplate the approach of the foe, encircled as they are by the forces of hatred and revenge, and by the stratagems and covetousness of their enemies. Every sea in the world is being furrowed by the ships which are conveying British troops from every corner of the globe in order to smash this little handful of people. Even Xerxes, with his millions against little Greece, does not afford a stranger spectacle to the wonder and astonishment of mankind than this gentle and kind-hearted Mother of Nations, as, wrapped in all the panoply of her might, riches, and exalted traditions, she approaches the little child grovelling in the dust with a sharpened knife in her hand. This is no War--it is an attempt at Infanticide.

And as the brain of the onlooker reels, and as his thoughts fade away into uneasy slumbers, there arises before him in a dream the distant prospect of Bantu children playing amongst the gardens and ruins of the sunny south around thousands of graves in which the descendants of the European heroes of Faith and Freedom lie sleeping.

For the marauding hordes of the Bantu are once more roving where European dwellings used to stand. And when the question is asked—why all this has happened? Why the heroic children of an heroic race, to which civilisation owes its most priceless blessings, should lie murdered there in that distant quarter of the globe? An invisible spirit of mockery answers, "Civilisation is a failure; the Caucasian is played out!" and the dreamer awakens with the echo of the word "Gold! gold! gold!" in his ears.

The orchids of Birmingham are yellow. The traditions of the greatest people on earth are tarnished and have become yellow.

The laurels which Britannia's legions hope to win in South Africa are sere and yellow.

But the sky which stretches its banner over South Africa remains blue. The justice to which Piet Retief appeals when our fathers said farewell to the Cape Colony, and to which Joachim Prinsloo called aloud in the Volksraad of Natal when it was annexed by England; the justice to which the burghers of the Transvaal entrusted their case at Paarde Kraal in 1880, remains immutable, and is like a rock against which the yeasty billows of British diplomacy dissolve in foam.

It proceeds according to eternal laws, unmoved by human pride and ambition. As the Greek poet of old said, it permits the tyrant, in his boundless self-esteem, to climb higher and higher and to gain greater honour and might until he arrives at the appointed height, and then falls down into the infinite depths.

Africanders, I ask you but to do as Leonidas did with his 300 men when they advanced unflinchingly at Thermopylae against Xerxes and his myriads, and do not be disturbed by such men as Milner, Rhodes, and Chamberlain, or even by the British Empire itself, but cling fast to the God of our forefathers, and to the Righteousness which is sometimes slow in acting, but which never slumbers nor forgets. Our forefathers did not pale before the terrors of the Spanish Inquisition, but entered upon the great struggle for Freedom and Right against even the mighty Philip, unmindful of the consequences.

Nor could the rack and the persecuting bands of Louis XIV. tame or subdue the spirit of our fathers. Neither Alva nor Richelieu were able to compass the triumph of tyranny over the innate sentiment of Freedom and Independence in our forefathers. Nor will a Chamberlain be more fortunate in effecting the triumph of Capitalism, with its lust for power, over us.

If it is ordained that we, insignificant as we are, should be the first among all peoples to begin the struggle against the new-world tyranny of Capitalism, then we are ready to do so, even if that tyranny is reinforced by the power of Jingoism.

May the hope which glowed in our hearts during 1880, and which buoyed us up during that struggle, burn on steadily! May it prove a beacon of light in our path, invincibly moving onwards through blood and through tears, until it leads us to a real Union of South Africa.

As in 1880, we now submit our cause with perfect confidence to the whole world. Whether the result be Victory or Death, Liberty will assuredly rise in South Africa like the sun from out the mists of the morning, just as Freedom dawned over the United States of America a little more than a century ago. Then from the Zambesi to Simon's Bay it will be

"AFRICA FOR THE AFRICANDER."

APPENDICES

APPENDIX A

LORD DERBY'S DISPATCH ON THE CONVENTION OF 1884.

To MESSRS. KRUGER, DU TOIT, AND SMIT.

DOWNING STREET,

15 *February*, 1884.

GENTLEMEN,

I have the honour to acknowledge the receipt of your letter of the 13th inst., in which you intimate your readiness to accept the arrangement proposed by me at our recent interview, whereby the debt of the Transvaal State to Her Majesty's Government would be reduced by L127,000. I will not delay to recommend this proposal to the consideration of Her Majesty's Government.

I have considered the representations and suggestions made in the fourth and following paragraphs of your letter, and I do not think it would now be practicable to carry out the arrangements which you propose for the

settlement of the questions referred to. Her Majesty's Government are willing, however, that the 20th Article of the Convention of Pretoria shall be retained in the new Convention, with such verbal alterations as are requisite, and I am glad to understand that this course will meet your views.

When I had the pleasure of receiving you here on the 8th inst. We discussed the other principal questions which, in addition to those of the boundary and the debt, you had submitted to me in previous correspondence, and I explained to you generally the nature and extent of the concessions which Her Majesty's Government would be able to make in regard to them. You were satisfied with these explanations, as far as they were put before you; and the progress which has been made appears to me to render it convenient that I should now transmit for your perusal a draft of the new Convention which Her Majesty's Government propose in substitution for the Convention of Pretoria. In this draft the Articles of the Convention of Pretoria, which will be no longer in force, have been printed alongside of the proposed new Articles, and where an Article is retained and altered, the alterations have been shown in order to explain clearly the changes which will be made. You will find that in the draft, and the map which accompanies it, the conclusions which have been arrived at in the course of our communications have been closely adhered to and accurately expressed, and I trust that you will experience no difficulty in understanding and agreeing to each of its provisions. If, however, there should be any point as to which you are doubtful, it may be convenient that you should again meet me here and receive such further explanations as may be desirable.

It does not appear to me to be necessary that I should refer in detail to each Article of the draft. You will observe that in the preamble and throughout the Convention the wish of your Government that the designation "South African Republic" should be substituted for "Transvaal State" has been complied with. In the first

Article the extension of the Western boundary is precisely defined as agreed to. By the omission of those Articles of the Convention of Pretoria which assigned to Her Majesty and to the British Resident certain specific powers and functions connected with the internal government and the foreign relations of the Transvaal State your Government will be left free to govern the country without interference, and to conduct its diplomatic intercourse and shape its foreign policy subject only to the requirement embodied in the fourth Article of the new draft--that any treaty with a foreign State shall not have effect without the approval of the Queen.

There are other provisions in the draft which have not been the subject of discussion with you; they are for the most part a renewal of those declarations made on behalf of the Transvaal State in the Convention of Pretoria, which it is desirable (as I trust you will agree in thinking) to maintain as an assurance to all parties that there will be no withdrawal of those securities for liberty and equal treatment which your State has always professed itself ready to afford. I would, however, refer more specifically to the 19th Article of the draft, in which it is proposed that in consideration of the discontinuance of all direct interference by this country in the government and control of the natives within the Transvaal, it should be formally declared that your Government will adopt and carry out the assurances which, with their assent and approval, were given to those natives by Her Majesty's Commissioners.

I trust that I may soon hear from you that there is no obstacle to my informing Her Majesty's Government that the Draft Convention can be adopted.

I have, etc.,

DERBY.

A CONVENTION CONCLUDED BETWEEN HER MAJESTY THE QUEEN, &C., &C., AND THE SOUTH AFRICAN REPUBLIC.

NOTE.--*The words and paragraphs bracketed or printed in italics are proposed to be inserted,*

those within a black line are proposed to be omitted.

[**Transcriber's Note: Words to be omitted are surrounded with '='s.**]

Her Majesty's Commissioners for the settlement of the Transvaal Territory, duly appointed as such by a Commission passed under the Royal Sign Manual and Signet, bearing date the 5th of April 1881, do hereby undertake and guarantee, on behalf of Her Majesty, that from and after the 8th day of August 1881, complete self-government, subject to the suzerainty of Her Majesty, Her Heir and Successors, will be accorded to the inhabitants of the Transvaal Territory, upon the following terms and conditions, and subject to the following reservations and limitations:--

Whereas the Government of the Transvaal State, through its Delegates, consisting of Stephanus Johannes Paulus Kruger, President of the said State. Stephanus Johannes Du Toit, Superintendent of Education; Nicholas Jacobus Smit, a member of the Volksraad, have represented to the Queen that the Convention signed at Pretoria on the 3rd day of August, 1881, and ratified by the Volksraad of the said State on the 20th October, 1881, contains certain provisions which are inconvenient, and imposes burdens and obligations from which the said State is desirous to be relieved; and that the south-western boundaries fixed by the said Convention should be amended, with a view to promote the peace and good order of the said state, and of the countries adjacent thereto; and whereas Her Majesty the Queen, &c., &c., has been pleased to take the said representations into consideration. Now, therefore, Her Majesty has been pleased to direct, and it is hereby declared that the following articles of a new Convention--shall when ratified by the Volksraad of the South African Republic, be substituted for the Articles embodied in the Convention of 3rd August, 1881; which latter, pending such ratification, shall continue in full force and effect.

Signed at =Pretoria=*London* this =3rd day of August 1881,=

=HERCULES ROBINSON,=
=President and High Commissioner=
=EVELYN WOOD, Major General,=
=Officer Administering the Government=
=J.H. de VILLIERS.=

We, the undersigned, Stephanus Johannes Paulus Kruger, =Martinus Wessel Pretorius=, and =Petrus Jacobus Joubert=, as =representatives delegates= of the =Transvaal Burghers=, *South African Republic*, do hereby agree to all the above conditions, reservations, and limitations, =under which self government has been restored to the inhabitants of the Transvaal Territory, subject to the enzerainty of Her Majesty, Her Heirs and Successsors, and we agree to accept the Government of the said Territory, with all rights and obligations thereto appertaining, on the 8th day of August 1881,= and we =promise and= undertake that this Convention shall be ratified by a =newly elected= Volksraad of the =Transvaal State= *South African Republic* within =three= *six* months from this date.

Signed at =Pretoria,= *London*, this =3rd day of August 1881=

=S.J.P. KRUEGER=
=M.W. PRETORIUS=
=P.J. JOUBERT=

APPENDIX B. (TRANSLATION)

THE ANNEXATION OF THE DIAMOND FIELDS

In his speech at the opening of the Cape Parliament on the 18th April, 1872, Sir Henry Barkly said:--

"The Sovereignty of Her Majesty was therefore proclaimed and brought into operation with the full *consent of the diggers*, and the Government has since been carefully and efficiently administered, notwithstanding considerable difficulties."

The *Diamond News* of the 1st May, 1872, says, in referring to this speech:--

"Of the three short paragraphs which immediately concern us, the first is one of self-congratulation--the diggers and other inhabitants of Griqualand accept the British Government with heartfelt satisfaction. Sir Henry says nothing of the unaccountable and daily increasing dissatisfaction with that Government, and perhaps he knows nothing of it, as it would be an act of suicide for the Commissioners, which they would not be guilty of, to report about the prevailing feelings."

On the 30th May, 1872, the *Diamond Fields* said:--

"There can be no doubt that the population of the Diamond Fields are strongly opposed to annexation to the Cape Colony.

"If anything like a plebiscite could be taken, the votes against being put under the Cape Government would be in the proportion of nine to one ... even the Free State Government would get two votes to one if the Cape Town Government were the only other candidate."

In December, 1871, scarcely a month after the dispersion of the Free State authorities and the constitution of Sir Henry Barkly's junta, lynch law broke out. Lawlessness and general insecurity prevailed everywhere (see *Diamond News*, 17th January, 20th March, 17th July, 1872).

One reads in the *Diggers' Gazette* of the 26th April, 1872:--

"No one would wish to ask for a continuation of the existing state of affairs. Only entirely mischievous people could wish for the continuation of such a failure as our Commissioners of British rule have brought about on these Fields. We have formerly expressed ourselves openly about this matter, and our local contemporaries have done the same."

The following remarks were made in the *Diamond News* of the 16th December, 1871:--

"A description of Du Toit'span by night lately appeared in the *Diamond News* as it used to be

under the admittedly unsatisfactory Free State police, and, by way of contrast, as it now is, after the withdrawal of that police. The comparison is not flattering to the strength of mind or administrative capability of our present rulers, and a comparison of Free State administration with Cape administration would in no way be more favourable to the latter.

"The British Government, so highly prized, which would put everything to rights and would do so much for the diggers, has brought the camps back to their original position of having to protect themselves."

In the *Diamond News* of the 10th July, 1872 (eight months after the constitution of Sir Henry Barkly's rule), the following criticisms appear:--

"Robberies are becoming so frequent that if we were only to relate the particulars of those that have been brought to our notice we would require more space than our limits will allow. Innumerable petty thefts are passed by without punishment. This is certainly a charming state of affairs! And the question naturally arises--how long will this continue? Thieves, black and white, experienced and dangerous, and yet no night police to stop their illegal actions! Shall we get no night police, or must the scoundrels, who are poisoning our camps continually, enjoy the immunity and freedom which they now appear to have?"

On the 26th July lynch law and revolt broke out afresh in an extensive way at New Rush, the principal diggings. The *Diggers' Gazette* made the following remarks about this:--

"As long as Judge Lynch remains free to hold his court and to levy his punishments, for so long can the whole framework and machinery of lawful authority just as well cease to exist.

"Authority cannot maintain its claim to be respected as long as persons suffering under the sense of having been injured take the law into their own hands, solely because of the proved incapability of those in authority to protect them where their interests mostly need protection.

"Day after day, and night after night, the one or other part of the camp is entertained by the edifying spectacle of natives being thrashed, tents being burnt, and white people surrounded by ferocious crowds who can scarcely be kept back from carrying out their desire for vengeance by a small truncheon and a thick thong.

"We do not wish to justify this state of affairs, but we cannot shut our eyes to the injustice which almost makes it a necessity. No magistrate, however exceptional, counts against the absence of such laws, discipline, and police as our circumstances demand, and through want of which there is no other prospect than that terrorism which arises out of a blind struggle against anarchy."

The *Diamond News*, in its issue of 20th July, 1872, says:--

"The copious news in our columns, and the reports of meetings, as well as the scenes which take place every night at mass meetings in this time of excitement, uproar and confusion, take up nearly all our principal columns. We heartily wish that the fire may be speedily got under, or else it is very much to be feared that the end will be dreadfully injurious to the safety and welfare of the innocent."

On the 19th July, 1872, a very large meeting of diggers was held at the Market Square, New Rush, when the following resolution, among others, was unanimously passed:--

"As this meeting is of opinion that, with a view to the prevailing disturbances in this camp, the Commissioners ought at once, with the Diggers' Committee, to make such amendments in the existing unsatisfactory state of the law as will as far as possible prevent the thefts of diamonds by native labourers, and their purchase by unprincipled dealers, and will also make such alterations in the law so as to promote the general welfare."

In the Cape Parliament, commencing the 5th June, 1872, Mr. Merriman said:--

"The Fields ... were annexed and a form of government was introduced there which could not be more ludicrous. A sort of irresponsible Commission (the Rovers junta) was established, in which the members could not agree, and were not responsible to anybody; he could imagine nothing more ridiculous or which worked worse. The Orange Free State had given the people a sort of representation, but the first act of our Government was to abolish all the Commissions, and the result was that the people were burdened with an irresponsible body.

"The Orange Free State had appointed a responsible official ... who was efficient ... while we had established a court twenty miles away from the most populated part; whereby grinding expenses had been entailed on those who sought justice, just as if it was the only object of the British Government to pile up heavy law costs."

Mr. Knight said: "One of the chief reasons why he was against Annexation was that nine-tenths of the population on the fields would hold up their hands to get rid of the present Government because they felt that they were far better off before they were annexed."

Mr. Buchanan declared: "He himself, when he visited the Diamond Fields, had wandered from camp to camp, and from the one sorting table to the other, and had talked with the diggers in order to acquaint himself as to their feelings about various matters, and he had obtained the conviction that there was a great deal of feeling against the British Government."

In the subsequent debate in the Cape Parliament Mr. J.H. Brown said, in regard to Mr. Orpen's motion: "That the diggers look with the greatest contempt on the Government which was there now, and that this Government was quite as much hated as it deserved to be."--(*Diggers' Gazette*, 12th July, 1872).

In the *Diamond News* of the 8th October, 1872, one reads:--

"Newspaper after newspaper comes out, and those who have a claim upon land look eagerly to see 'what is happening about the land?' and all

the information the newspaper gives is that David Arnot, Esq., claims half the country, and that Francis Orpen, Esq., the Surveyor, has decided that L30 must be paid before the case of any claimant can be taken into consideration. It is Arnot and Orpen and land; and land and Orpen and Arnot, week after week. They appear to be made one for the other, and for nothing and nobody else.

"Half a newspaper is filled with lists of claims of the said David, and it becomes daily clearer and clearer that the great head chief of Griqualand West cannot be Mr. Waterboer, but must be David Arnot--because all the claims and all the kopjes have been provided for, and all are for Mr. Arnot and nobody else.

"The impression is everywhere that British protection is invoked not for British interests, nor for the interests of Britons working on the fields here, but for the sake of two gentlemen who hold the reins with far more power than ought to be given to anyone who is entrusted with the administration of this country.

"Who has ever heard of a Government which binds itself to give the surveyorship of a new country to one man only? Mr. Francis Orpen is decidedly a first-class man in his profession ... but that does not justify any Government in agreeing that he, and he only, is to keep the survey of this territory entirely in his own hands. Everyone knows what that must lead to."

APPENDIX C

The Reply To Mr. Chamberlain's Dispatch On Grievances

Department Of Foreign Affairs, Pretoria.

26th September, 1899.

SIR,

The Government of the South African Republic has the honour to acknowledge the receipt of a copy of a certain dispatch dated 10th May, 1899, addressed to His Excellency the High Commissioner by the Secretary of State for the Colonies, in consequence of a petition sent to Her Majesty the Queen of Great Britain and

Ireland. 21,684 signatures appear on this petition, and are said to have been affixed thereto by an equivalent number of British subjects resident at Johannesburg, in this Republic.

This Government notes that Her Majesty's Government have thought fit, on the grounds of the information already in their possession, to make investigation into the subject matter of the aforesaid petition, and, as a result of such investigation, to express to this Government their views on the administration of the internal affairs of this Republic, which said views they have at the same time communicated to the memorialists as an answer to their petition.

This Government may be permitted to point out that the Convention of London of 1884, entered into between this Republic and the Government of Her Britannic Majesty, guarantees to the South African Republic full and free internal administration without any interference from anyone whatever. As Lord Derby notifies in his dispatch of the 15th February, 1884:--

"Your Government will be left free to govern the country without interference, and to conduct its diplomatic intercourse, and shape its foreign policy, subject only to the requirements embodied in the fourth article of the new draft--that any treaty with a foreign State shall not have effect without the approval of the Queen."

In his despatch of the 4th February, 1896, the Colonial Secretary, Mr. Chamberlain, states:--

"In the next place, it is necessary that I should state clearly and unequivocally what is the position which Her Majesty's Government claim to hold toward the Government of the South African Republic. Since the Convention of 1884, Her Majesty's Government recognised the South African Republic as a free and independent Government as regards all its internal affairs not touched by the Convention."

In a telegram, also from Mr. Chamberlain, dated 26th March, 1896, the same statement is substantially made, viz.:--"Her Majesty's Government do not claim any rights under the

Conventions to prescribe particular internal reforms which should be made in South African Republic."

This Government has always felt it a solemn duty for the Republic to adhere strictly to the Convention of 1884 in its entirety; at the same time, it has been consistent in protesting in the most forcible manner against any interference or intermeddling with the internal affairs of the Republic, and against the discussion or treatment of these affairs with or by any other than the Republic itself, and it can discover no reasons now which would either justify such interference or exempt it from the accusation of being a violation of the Convention of London.

This Government feels convinced that Her Majesty's Government would not favourably entertain a request from British subjects for intervention because the said British subjects are unwilling (as was agreed between this Republic and Her Majesty's Government in the Convention of London) to conform themselves to the laws of the land and to respect the legal institutions and customs of the South African Republic, and because they feel aggrieved that the laws are not altered in accordance with their demands.

The friendly relations so highly prized by this Government which have existed between this Republic and the United Kingdom, the other party to the Convention of London, have always been a safe guarantee to this Government against such a breach of the Convention on the part of Her Majesty's Government, and it greatly deplores the fact that Her Majesty's Government has now decided to act in conflict with the Convention of London by busying itself with the imaginary grievances of the Uitlanders, and making representations thereanent to this Government. Against such action this Government feels that it must earnestly and emphatically protest, and the Right Hon. Mr. Chamberlain could not take it amiss if this Government were to pay no further attention to the charges against its administration contained in the petition, or if they declined to discuss

further the views of Her Majesty's Government about these charges.

This Government has, however, on more than one occasion, notified to Her Majesty's Government that it will attach great value to any suggestions which may be tendered in the interests of British subjects, and it will certainly lend a very willing ear to any friendly advice or hints which may be given by Her Majesty's Government as being the representative of a Power which, with this Republic and the Orange Free State, protects and fosters the paramount interests of South Africa.

His Honour the State President was animated by these sentiments when he accepted the courteous invitation of His Honour President Steyn to proceed to Bloemfontein in order to confer with Your Excellency about matters which are an equal source of interest to this Republic and Her Majesty's Government. These friendly sentiments now prompt it to take the liberty of drawing serious attention to the fact that Her Majesty's Government certainly appear to be supplied with insufficient and incorrect data about facts and occurrences from which erroneous ideas and conclusions are drawn, so that, although desirous of avoiding subjects the discussion of which would be contrary to the Convention, this Government nevertheless feels that it ought to convey to Her Majesty's Government the true position of affairs, and that it ought to point out how the latter is misled, the condition of affairs as depicted in the dispatch under reply being in all respects exaggerated, and in many instances entirely untrue.

In the first place, this Government wishes to point out that, so far from the petition which gave rise to the despatch under reply having been signed by 21,684 British subjects, it appears indeed that it was signed by very few people in the South African Republic--leaving aside all mention of British subjects. This has been substantiated in many cases by sworn declarations, many of which were handed to His Excellency the High Commissioner during the Conference at Bloemfontein, and this

Government feels that it may flatter itself that the British Government, after having examined these documents, will share with this Government the view that this memorial is in itself a matter of very slight importance, even although it may contain the signatures of a certain number of British subjects who hold the opinion that they are entitled to a change in the form of Government because, in violation of the Convention entered into between this Republic and Her Majesty's Government, they will not conform themselves to the laws of the land, but claim alterations therein at their own caprice.

This Government is all the more convinced that this memorial is of no great moment, and that it certainly does not express the feelings of all the so-called Uitlanders, because another memorial has been received by it from about 23,000 inhabitants of this Republic, nearly all Uitlanders, and amongst whom are several British subjects. The High Commissioner was informed that the signatures to this memorial were obtained in a perfectly *bona fide* way, and this information was supported by sworn affidavits. The purport of this memorial bore evidence to the fact that the thousands of Uitlanders who signed it were satisfied with the administration and the Government of this Republic, and did not share the views of the memorialists to Her Britannic Majesty in respect of what the latter considered to be legitimate grievances.

This Government may further be permitted to point out that although the Uitlander population may have co-operated in effecting an increase in the revenues of the State, principally, as His Excellency has been informed, in custom dues, prospecting licences, railway receipts, etc., so that the revenue in 1898 amounted to £3,983,360, the fact must not be lost sight of, on the other hand, that gold to the value of *£20,000,000* was exported from the State during the same year 1898, almost entirely by the Uitlanders.

At the same time, it must not be forgotten that although the, chief item in custom dues is

collected on goods which are imported at Johannesburg, yet these goods are not entirely used or consumed by the Uitlanders, for a considerable quantity is sent over the whole Republic by the wholesale merchants to the retail dealers who do business with the burghers in the villages and the country, so that much of what is imported into Johannesburg is destined for consumption by the original burgher of the Republic.

With regard to the contention that the mining industry is more heavily taxed than in any other country, and that the cost of the necessaries of life is higher, this Government desires to remark that this contention is entirely contradicted by facts and statistics. The value of goods imported into the South African Republic during 1898 amounted to £9,996,575, and the custom duties levied thereon to £1,058,224, or 10.6 per cent. Under the Customs Union of the adjacent British Colonies the import duties amounted to 15 per cent, of the value of the goods, a comparison which yields a difference of nearly 50 per cent. in favour of the Republic. When the matter is examined in detail the case is even stronger. In the Colonies certain articles, such as bread stuffs, are subject to a special duty of 2s., say about 30 per cent, of the value, in corn, and 40 per cent. in meal. In this Republic the duty on both the foregoing articles is 7-1/2 per cent.; butter is especially taxed at 3d. per pound, or 30 per cent., under the Customs Union, while in the Republic it is subject only to the 7-1/2 *ad valorem* duty. Coffee and other necessaries of life, on being compared, would show a similar difference, and this Government therefore trusts that Her Majesty's Government will exonerate it when it points out the incorrectness and unreliability of the information supplied to the Secretary of State, on which he bases his conclusion that the cost of living is unusually high in consequence of the taxation levied by the State; that such is not the case will be at once shown by a comparison with the taxation of the neighbouring Colonies.

The character of the financial administration must have been erroneously represented to Her Majesty's Government if it was simply stated that defalcations to an amount of £18,590 had taken place. It would *ex facie* appear from such a statement that the above defalcations had taken place during the past year; as a matter of fact, the Inspection Department, which has only recently been called into existence, reported over financial matters covering the years 1884 to 1896.

It is unfair to characterise all deficiencies as defalcations, for from the nature of the case a deficiency does not always constitute a defalcation. The report specified the sub-divisions of monies which had yet to be accounted for. The first item in such deficiencies amounted originally to £12,000, and of this £6,000 was afterwards collected, and the balance was only brought forward; another item of *£10,808 11s.* was brought forward in its entirety, but £3,000 of this was eventually collected and accounted for, while continual efforts were made to secure the balance. Many items not brought forward were collected long before and accounted for, while during the inspection of last year it was found that a sum of £800 yet remained to be paid in out of the deficiencies, which balance has been accounted for.

The contention that advances to officials amounting to *£2,398,506 16s. 8d.* have remained unaccounted for is also absolutely incorrect; and the endeavour to pass this circumstance off as constituting defalcations on the part of officials bears ample witness to the strong desire to mislead which has actuated the informants of Her Majesty's Government.

Any person who is even superficially acquainted with financial administration will readily admit that this is due to a system of accounting which was followed until recently by Her Majesty's Government, and which obtains in some British Colonies, in Natal, for instance, at the present moment.

This system may deserve condemnation; it does not, however, necessarily follow that because the advances may not be speedily accounted for they have been embezzled, and it does not appear either from the report of the Inspector of Offices, or from the debates of the Volksraad, that such accusations were made. But in addition to this a sum of at least £1,968,306 is included in the aforesaid total of £2,398,506 16s. 8d. (but which is not comprised in the customary advances), such as Orphan Chamber £80,000, Indigent Burghers £150,000, Postal Orders £60,000, various loans to School Committees, Sanitary Boards, and for Waterworks, Hospitals, Committees, monies placed at interest in Europe, provisional loans to Railway Companies, purchases of food stuffs and mules in time of famine, and many others.

Items, too, of considerable importance appear in the advances, although they have really been accounted for up to within a pound or two, because for one reason or another it has not been possible to write off the exact total, the amounts still to be accounted for having dwindled to a very insignificant figure.

The contention that during 1896 a sum of L191,837 was paid out of the Secret Service Money is also absolutely unfounded, for in that amount a sum of £158,337 was included which was used for special Government Works, as was expressly stated in a foot-note on page 44 of the Estimates for 1897. The Secret Service Fund for that year (1896) did not amount to more than £33,500. This faulty information, supplied to Her Majesty's Government, is apparently taken from the said Estimates, it would seem with the fixed determination to ignore the explanatory foot-note on page 44.

It is incorrect to state that the system of granting concessions remains in full force. Where the Right Hon. the Secretary of State in his despatch refers to industrial concessions, this Government may remark that these are privileges granted in order to stimulate and protect local industry, and the contention that these concessions will develop into practical monopolies is not

supported by any evidence; results will show that misleading information has been given here as well.

With regard to the question of education which has been dealt with in the dispatch of the Right Hon. the Colonial Secretary, this Government wishes to point out that the amount expended on education during the year 1898 was L226,219 4s. 8d. In the former year it was less. Of this amount £36,503 17s. 2d. was devoted to Education on the Gold Fields (for State as well as for subsidized schools). As the number of scholars under Act 15, 1896, as well as that of the teachers, have considerably increased, the amount during the current year will probably be *£53,000*. The conditions on which this money is given are certainly not such as to exclude the children of Uitlanders from its benefits. According to Volksraad Resolution of 1st June, 1892 (and amendments), schools where a foreign language was the medium of instruction were entitled to a subsidy of 20s. per pupil per quarter for the lower standard, and 25s. for the middle standard, provided that certain requirements as to knowledge of the official language of the country were complied with. These requirements are a standard lower than that for children of burghers in the country, who are taught in schools governed by Law No. 8 of 1892.

Few, if any, Uitlanders avail themselves of this offer; the few who have done so are now satisfied with it, and continue to enjoy the privileges of the resolution, although it was only renewed in 1898 for those schools which made a *bona fide* use of it. Law No. 15, 1896, made provision for the children of poor parents and strangers on the proclaimed gold fields entirely at State expense, and 13 schools have been established by this law--with 51 teachers and about 1,500 scholars--at Barberton, Pilgrims' Rest, Kaapsche Hoop, Johannesburg (5, viz., 1 in von Brandis Street, 1 at Braamfontein, 1 at Union Ground, 1 at Vredesdorp, and 1 in Market Street), Maraisburg, Krugersdorp, Randfontein, Klerksdorp, and Nigel. In addition to these, preparations are being made for State schools at

the City and Suburban, Bertramstownship, Johannesburg, and at Roodepoort (Krugersdorp).

Out of the above-named 13 schools, English is the medium of instruction in four, and of the remaining nine English is the medium for the children of English-speaking parents, and Dutch for those of Dutch-speaking parents. In these nine schools a little more time is devoted to learning Dutch in each standard than was the case in the former standard, so that equality in both languages is reached at the 5th standard.

Altogether there are 27 Dutch Africander or Hollander teachers, and 24 teachers of English origin in these 13 schools. The Dutch Africander or Hollander teachers are obliged to possess a thorough knowledge of English, and have either to pass an examination or produce a certificate to that effect.

The object of the system of education in this Republic is to ensure in the first place the foundation of general knowledge. Law No. 8, 1892, provides this for the children of the original Boer population in their mother tongue, in which the necessary schoolbooks must be written, with this understanding, however, that in the 3rd standard three hours, and in the higher ones four hours, per week out of the 25 must be devoted to education in a foreign language.

With regard to the schools formed under the above-mentioned Resolution, teaching is carried on through the medium of a foreign language, but at least 5 hours per week must be devoted to the study of the official language of the country.

Of the 13 schools formed under Law 15 of 1896, the children of strangers are instructed in their own language, while the number of hours for instruction in and by means of Dutch is increased in each standard.

According to a Resolution of the First Volksraad, dated the 8th August, 1898, Article 731, a certain number of the School Board members required by Article I of Law 15 of 1896 have to be nominated and chosen by the Executive Council out of enfranchised persons (Article 2, Law 8,

1893) proposed by the fathers of the school children, on the understanding that the persons so chosen shall constitute less than half of the whole School Board, and further, that the persons so proposed shall always be double the number of the people actually nominated. The above facts clearly prove, according to the opinion of this Government, that Her Majesty's Government has also been misled in respect to the matter of education. It is clear that one-fourth of the whole educational vote has been devoted to the gold fields, so that the children of Uitlander residents can make use of it; that proper provision is made for education in the mother tongue whatever it may be, while at the same time compulsory education of the language of the country is also provided for. That both by the Resolution of the 1st June, 1892, as well as by the Law 15 of 1896, more has actually been done for the Uitlanders than for the original inhabitants, and that more time is given to the mother tongue of the children in the schools on the gold fields of this Republic than in any country in the world, and that here again information of a misleading character must have been given to His Excellency and the British Government.

Law No. 15, 1896, and the schools thereby established have been defended by Englishmen in various newspapers. (See the *S.A. News*, 10th May, 1899; *The Star*, 22nd March, 1899; *Manchester Guardian*, etc.).

With reference to the Municipality of Johannesburg, this Government desires to remark that in accordance with the promise made in 1896, the grant of Municipal Administration was made to the inhabitants of Johannesburg by which the control of that town and its suburbs was conferred upon them.

Her Majesty's Government seem to think that this Municipality does not answer its purpose, in the first place because half of the members must be naturalized burghers (not fully enfranchised burghers as the dispatch under reply erroneously contends), and in the second place because the

financial powers of the town council are restricted.

With regard to the first objection, it is impossible that this should be a great grievance, because a residence of two years in the Republic is sufficient for naturalisation; as a matter of fact, more than the necessary half of the members are burghers; this shows conclusively that the requirement of burghership is in no sense an obstacle. The objection as to the restriction of the financial powers of the council is not conclusive, because there is no Municipality in the world the financial powers of which are not restricted by the law under which they are created, and the restrictions in the case of the town council of Johannesburg are the usual ones in such cases.

The Advisory Board recommended by the Industrial Commission would have proved inefficient because the laws with the administration of which that body would have had to concern itself can be carried out in a better and more efficient way by an official like the State Attorney, who has almost unlimited power and means of doing so. This is exactly what has happened. All complaints with regard to gold thefts have actually disappeared; one no longer hears of complaints as to the operation of the pass law; while latterly, as Her Majesty's Government must be well aware, the Chamber of Mines and other bodies of the Witwatersrand have repeatedly expressed their satisfaction with the stringent way in which the liquor law has been upheld. No local body, however well informed, would have been able to do what the State Attorney has done in this matter, and that is sufficient justification of the action of both Government and Volksraad in refusing to establish such an Advisory Board.

The Government now passes on to the discussion of the administration of justice, of which so much is made in the dispatch under reply.

With regard to these allegations, this Government perceives that much importance is attached in the dispatch to the so-called Lombard incident, the so-called Edgar case, and the so-called Amphitheatre occurrence.

A brief consideration of the facts referring to these three matters will show how unfounded are the accusations of Her Majesty's Government.

With reference to the Lombard incident, this Government wishes to point out that no complaint was lodged with any official in this Republic for a full month after the illtreatment of Cape coloured people was alleged to have taken place, and that neither the Government nor the public was aware that anything had taken place. The whole case was so insignificant that some of the people who were alleged to have been illtreated declared under oath at a later period before a court of investigation that they would never have made any complaint on their own initiative. What happened, however?

About a month after the occurrence the South African League came to hear of it; some of its officials sent round to collect evidence from the parties who were alleged to have been illtreated, and some sworn declarations were obtained by the help of Her Majesty's Vice-Consul at Johannesburg (between whom and this League a continual and conspicuous co-operation has existed). Even then no charge was lodged against the implicated officials with the judicial authorities of the country, but the case was put in the hands of the Acting British Agent at Pretoria.

When the allegations were brought under the notice of this Government, they at once appointed a commission of enquiry consisting of three members, namely, Landdrost Van der Berg, of Johannesburg, Mr Andries Stockenstrom, barrister-at-law of the Middle Temple, head of the Criminal Section of the State Attorney's Department, and Mr. Van der Merwe, mining commissioner, of Johannesburg; gentlemen against whose ability and impartiality the Uitlander population of the Republic have never harboured the slightest suspicion, and with whose appointment the Acting British Agent also expressed his entire satisfaction. The instructions given to these officials were to thoroughly investigate the whole case, and to report the result to the Government; and they fulfilled these instructions by sitting for days at a time, and

carefully hearing and sifting the evidence of both sides. Every right-minded person readily acknowledges that far greater weight ought to be attached to the finding of this Commission than to the declarations of the complainants, who contradicted one another in nearly every particular, and who caused the whole enquiry to degenerate into a farce.

According to the report, nothing was proved as to the so-called illtreatment; the special instances of alleged illtreatment turned out to be purely imaginary; it was clearly proved and found that the complainants had acted contrary to Law, and the Commission only expressed disapproval of the fact that the arrests and the investigation had taken place at night, and without a proper warrant. It fills this Government with all the greater regret to observe that Her Majesty's Government bases its charges on *ex parte*, groundless, and in many respects false declarations of complainants who have been set in motion by political hatred, and that it silently ignores the report of the Commission.

The Amphitheatre occurrence is used by Her Majesty's Government to show how incapable the police of the Witwatersrand are to fulfil their duties and to preserve order. The League meeting was held at the so-called Amphitheatre at Johannesburg, with the knowledge of the State Secretary and State Attorney, and the accusation is that in spite of that fact, the uproar which arose at that meeting was not quelled by the police. The following are the true facts:--Mr. Wybergh and another, both in the service of the South African League, informed the State Secretary and the State Attorney that they intended to call this meeting in the Amphitheatre, and asked permission to do so; they were informed that no permission from the authorities was necessary, and that as long as the meeting did not give rise to irregularities or disturbances of the peace, they would be acting entirely within their rights. Their attention was then drawn to the fact that owing to the action and the propaganda of the South African League, this body had become extremely unpopular with a large section of the inhabitants of

Johannesburg, and that in all probability a disturbance of the peace would take place if a sufficient body of the police were not present to preserve order. To this these gentlemen answered that the police were in very bad odour since the Edgar case, that the meeting would be a very quiet one, and that the presence of the police would contribute, or give rise to, disorder, and that they would on those grounds rather have no police at all. The State Secretary and State Attorney thereupon communicated with the head officials of the police at Johannesburg, with the result that the latter also thought that it would be better not to have any considerable number of police at the meeting. The Government accordingly, on the advice of these officials of the League as well as their own police officials, gave instructions that the police should remain away from the meeting; they did this in perfect good faith, and with the object of letting the League have its say without let or hindrance. The proposed meeting was however advertised far and wide. As the feeling amongst a section of the Witwatersrand population was exceedingly bitter against the League, a considerable number of the opponents of that body also attended the meeting. The few police who were present were powerless to quell the disorder, and when the police came on the scene in force some few minutes after the commencement of the uproar, the meeting was already broken up. Taken by itself, this occurrence would not be of much importance, as it is an isolated instance as far as the gold fields of this Republic are concerned, and even in the best organised and best ordered communities irregularities like the above occasionally take place.

The gravity of the matter, however, lies in the unjust accusation of Her Majesty's Government--that the meeting was broken up by officials of this Republic, and that the Government had curtly refused to institute an enquiry.

This Government would not have refused to investigate the matter if any complaints had been lodged with it, or at any of the local Courts, and this has been clearly stated in its reply to Her Majesty's request for an investigation.

The Government objects strongly to the systematic way in which the local authorities are ignored, and the continual complaints which are lodged with the Representatives of Her Majesty about matters which ought to be decided by the Courts of this Republic. Instead, however, of complaining to Her Majesty's Government after all other reasonable means of redress have been vainly invoked, they continually make themselves guilty of ignoring and treating with contempt the local Courts and authorities, by continually making all sorts of ridiculous and *ex parte* complaints to Her Majesty's Government in the first instance; Her Majesty's Government is also thereby placed in the equivocal and undesirable position of intermeddling in the internal affairs of this Republic, which is in conflict with the London Convention. Had the complaints been lodged with this Government, or with the proper officials or Courts, the facts could have been very easily arrived at, and it would have been proved that the few officials who were present at the meeting as a section of the public had done their best to prevent the irregularities, and that some of them had been hurt in their endeavours to preserve order.

Instead of expressing their disapproval of such complaints, and referring the petitioners to the local Courts, Her Majesty's Government accepts those complaints, and gives them an official character by forwarding them for the information of this Government, and by publishing them in blue books for the information of the world.

Her Majesty's Government will readily acknowledge that there is no State in the world with any sense of dignity, however weak and insignificant it may be, which can regard such matters with an indifferent eye; and when the relations of the two Governments are strained, then the mainspring must be looked for in this action of its subjects, which is not disapproved of by Her Majesty's Government, and not in imaginary or trumped-up grievances.

The Edgar case is referred to by your Government as "the most striking recent instance of arbitrary action by officials, and of the support

of such action by the Courts," and this case is quoted as a conclusive test of the alleged judicial maladministration of this Republic; it will therefore be of interest to pause for a moment and consider it. What are the true facts?

A certain Foster, "an Englishman," was assaulted and felled to the ground, without any lawful cause, by a man named Edgar during the night of the 18th December, 1898; he lay on the ground as if dead, and ultimately died in the hospital. Edgar escaped to his room, and some police came on the scene, attracted by the screams of the bystanders. Amongst the police was one named Jones. When they saw the man who had been assaulted lying as if dead, they went to Edgar's apartments in order to arrest him as a criminal (he had indeed rendered himself liable for manslaughter, and apparently for murder). As he was caught in the very act, the police officers were, according to the Laws not only of this Republic, but of all South Africa and of the United Kingdom of Great Britain and Ireland, justified in breaking open the door in order to arrest the culprit. While doing so, Edgar, with a dangerous weapon, struck Jones a severe blow. Under the stress of necessity the latter shot Edgar, from the effects of which he died. The question is not if Jones was justified in taking this extreme step, for the State Attorney of the Republic had already given effect to his opinion that this was a case for the jury by prosecuting him for manslaughter. The question is solely whether any jury in any country in the world would have found a man guilty of any crime under the circumstances set forth, and whether, if they did not find him guilty, the fact of their doing so would have been stamped and branded as a flagrant and remarkable instance of the maladministration of justice.

This Government is convinced that the English Judicial administration affords numberless instances where the facts are as strong as in this case, and it cannot see why an occurrence which could happen in any part of the world should be especially thrown in their teeth in the form of an accusation.

This Government does not wish to pass over in silence the censure which has been passed by Her Majesty's Government on the Public Prosecutor of Johannesburg, by whom the prosecution of this case was conducted; the fact that he is of pure English blood, that he received his legal training in London, that he is generally respected by the Uitlander population on account of his ability, impartiality, and general character, will naturally not be of any weight with Her Majesty's Government against the facts of his action in calling witnesses for the prosecution who were intended for the defence, and thus rendering an imaginary cross-examination abortive.

This Government only wishes to point out that the fact that the Edgar case is the strongest which Her Majesty's Government has been able to quote against the administration of justice in this Republic affords the strongest and most eloquent proof possible that, taking it in general, the administration of justice on the gold fields of this Republic not only compares favourably with that on other and similar gold fields, but even with that of old and settled countries.

The untrue representations of this occurrence in the Press prove conclusively that the newspapers of the Witwatersrand, the atrocity-mongering tactics of which constitute a share of the organised campaign against the Republic and its Government, have been compelled to resort to mendacious criticisms on imaginary instances of maladministration which were often simply invented. Where the Press is forced to adopt such methods, the true grievances must of necessity be unreal.

Her Majesty's Government now proceeds to discuss certain laws of this Republic, with the object of showing that the Uitlander population is also oppressed by the legislature of this country, the Press Law, the Aliens Expulsion Law, and Law No. 1 of 1897 being especially instanced. But it can also be proved that the population of the gold fields have no solid grounds of complaint in regard to the laws in question.

Respecting the existing Press Laws, No. 26 of 1896, and No. 14 of 1898, it is necessary to remark that no printer, issuer, or editor of a newspaper can be prosecuted unless he has made himself guilty of criminal libel, so that the principle of the Grondwet of 1858 has in this respect been rigidly adhered to. Her Majesty's Government will at once see that these laws cannot in any way bear harshly upon the writing public, a fact which is clearly borne out by the way in which the newspapers of this country are edited. Nowhere else in the world has the liberty of the Press so degenerated into license. No newspaper in any country in the world would for one moment dare to speak of the Government, the Legislature, and authorities of the country as the *Star*, the *Transvaal Leader*, and similar newspapers do every day in this Republic.

The imaginary nature of these grievances is not dispelled by the fact that the power is vested in the State President of prohibiting either entirely or provisionally the circulation of any printed matter which is contrary to good morals or public order, because the very same Supreme Court, which in the opinion of Her Majesty's Government only exists at the mercy of this Government, has pronounced that it has no power to prohibit the circulation of any newspaper; the freedom of the regular Press thus remains as unrestricted as under the old Grondwet.

As a matter of fact, any person who has any practical experience of the Press of this Republic will regard the accusation as ridiculous, and as evincing an entire ignorance of the true facts. This power has not been exercised by the Judges on many occasions, but only once, and in that instance the High Court annulled the decision.

With regard to the Aliens Expulsion Law, this, like the Press Law, ought to be estimated according to its spirit and operation. Since this law has come into force the State President has only on one occasion made use of the power vested in him of expelling an undesirable individual, and his action was endorsed by the approval of the Press and the public of the

country. As similar laws exist in nearly every civilised country in the world, it is difficult to see why such a law in this Republic should prove so objectionable in the eyes of Her Majesty's Government.

With regard to Law No. 1 of 1897, and the dismissal of Chief Justice Kotze by virtue of its provisions, this Government can only state that it was with the bitterest regret that it felt itself compelled, in consequence of the arbitrary action of the said Chief Justice, to take comprehensive measures in order to prevent absolute constitutional and judicial disorder and chaos. It was an instance where a Chief Justice in conflict with a law existing for, at least, forty years, and in direct contradiction of his own decisions, suddenly adopted and applied a new principle, which affected the legality of the laws of the Republic, and produced real constitutional chaos. Would not any other Government under similar circumstances have done exactly what this Republic did, namely, pass a special law in this unusual case, in order to remove the exceptional difficulties?

This law was only applicable to this particular instance, and became inoperative immediately after its application; and this Government cannot understand how suspicion can therefore fall upon the impartial administration of Justice in this Republic. If the Government had acquiesced in the position taken up by the late Chief Justice, then all titles dependent upon Volksraad resolutions would have been called in question, which would not only have dealt a heavy blow to existing rights, but also have plunged the administration of Justice in great uncertainty and doubt.

By this law the Judges, instead of being brought under the influence of the Executive Council, were really placed in the same constitutional position as any Judge in the Supreme Court of England, who is unable to question the validity of any law.

This Government has now traversed the various contentions of Her Majesty's Government, which have been submitted in order to prove that the policy of this Government, with regard to the Uitlander population and the administration of the laws, especially on the gold fields, are the causes of the strained relationship at present existing between the two Governments.

This Government believes that this explanation and answer will clearly show that these causes are in no way sufficient to have resulted in the aforesaid tension. It is of opinion that the source of evil must be sought for elsewhere, and it trusts that Her Majesty's Government will not take it in bad part if it now proceeds to explain what the real root of the evil is from its point of view; and in the first place it remarks as a very noticeable and prominent fact that although there are thousands of subjects of other Powers in Johannesburg, there are few complaints heard from them or from their Governments about the so-called grievances of the Uitlanders. If these grievances existed in reality, and if they pressed equally on all so-called Uitlanders (and Her Majesty's Government does not contend that in this respect a difference is made between British subjects and subjects of other Powers), how does it happen that the complaints always come from British subjects, and that the subjects of other Powers, as a rule, express their sympathy with this Government and promise it their support?

But this Government wishes to go further. Even in regard to those Uitlanders who are British subjects, it is a small minority which, under the pretext of imaginary grievances, promotes a secret propaganda of race hatred, and uses the Republic as a base for fomenting a revolutionary movement against this Government. Ministers of Her Majesty have so trenchantly expressed the truth about this minority that this Government wishes to quote the very words of these Ministers with the object of bringing the actual truth to the knowledge of Her Majesty's Government, as well as to that of the whole world, and not for the purpose of making groundless accusations.

The following words are those of the Ministers of the Cape Colony, who are well acquainted with local conditions and fully qualified to arrive at a conclusion:--

"In the opinion of Ministers the persistent action, both beyond and within this Colony, of the political body styling itself the South African League in endeavouring to foment and excite, not to smooth and allay, ill-will between the two principal European races inhabiting South Africa is well illustrated by these resolutions, the exaggerated and aggravated terms of which disclose the spirit which informs and inspires them.

"His Excellency's Ministers are one in their earnest desire to do all in their power to aid and further a policy of peaceful progress throughout South Africa, and they cannot but regard it as an unwise propagandism, hostile to the true interests of the Empire, including this Colony as an integral part, that every possible occasion should be seized by the League and its promoters for an attempt to magnify into greater events minor incidents when occurring in the South African Republic, with a prospect thereby of making racial antagonism more acute, or of rendering less smooth the relations between Her Majesty's Government or the Government of this Colony and that Republic."

Race hatred is, however, not so intense in South Africa as to enable a body with this propaganda, aiming at revolutionary objects, to obtain much influence in this part of the world; and one continually asks oneself the question--"How is it that a body so insignificant, both in regard to its principles and its membership, enjoys such a large measure of influence?" The answer is that this body depends upon the protection and the support of Her Majesty's Government in England, and that both its members and its organs in the Press openly boast of the influence they exercise over the policy of Her Majesty's Government. This Government would ignore such assertions, but when it finds that the ideas and the shibboleths of the South African League are continually echoed in the speeches of

members of H.M. Government, when it finds that blue books are compiled chiefly from documents prepared by officials of the South African League, as well as from reports and leading articles containing "malignant lies" taken from the Press organs of that organisation, thereby receiving an official character, then this Government can well understand why so many of Her Majesty's right-minded subjects in this part of the world have obtained the impression that the policy advocated by the South African League is supported by Her Majesty's Government, and is thus calculated to contribute to the welfare and blessing of the British Empire. If this mistaken impression could be removed, and if it could be announced as a fact that the South African League, as far as its actions in the South African Republic are concerned, is only an organisation having as its object the fomentation of strife and disorder and the destruction of the independence of the country, then it would very soon lose its influence, and the strained relations existing between the two Governments would quickly disappear. The Africander population of this country would not then be under the apprehension that the interests of the British Empire imperatively demand that the Republic should be done away with and its people be either *enslaved* or *exterminated*. Both sections of the white inhabitants of South Africa would then return to the fraternal co-operation and fusion which was beginning to manifest itself when the treacherous conspiracy at the end of 1895 awakened the passions on both sides.

APPENDIX D

The Final Dispatch Of Mr. State Secretary Reitz

Enclosure.

Department For Foreign Affairs,

Government Office,

Pretoria,

3rd March, 1899.

Sir,

Acknowledging the receipt of your letter of the 11th inst. *re* the meeting of the South African League held in the Amphitheatre at Johannesburg on the 14th January, 1899, I have the honour to communicate the following to you.

The complaint that the Government, or its duly authorised officials, have acted with partiality in this matter is entirely devoid of truth, and this Government regrets that such an unfounded and insulting accusation should have been made nearly a month after the occurrence in question.

Messrs. Dodd and Webb have been duly arrested and committed for trial on account of what took place on the 24th December, 1898, upon sworn affidavits which left nothing else for the proper officials to do but to prosecute.

With reference to the Amphitheatre occurrence, not a single British subject has lodged a sworn complaint against anybody with the proper officials, so that it can hardly be expected that this Government should now take any steps against the alleged disturbers of the peace.

Regarding the accusation that officials of this Government have contributed to the instigation of uproar on the said occasion, this Government can only state that no complaints have been made to it or the proper authorities, either from British subjects or from subjects of other Powers, so that this Government, to its regret, can do nothing in this matter. In case, however, of such complaints being lodged with the proper authorities, the Courts of the country are open to them.

I have the honour to be, Sir,

Your obedient servant,

F.W. REITZ,

State Secretary.

To The Hon. Cunynghame Greene, C.B.,

British Agent, Pretoria.

APPENDIX E

Conventions Between Her Majesty The Queen And The Transvaal Or South African Republic.

Sand River Convention, 1852.

Minutes of a meeting held in the place of Mr. P.A. Venter, Sand River, on Friday, the sixteenth day of January, 1852, between Major W. Hogge and C.M. Owen, Esq., Her Majesty's Assistant Commissioners, for the settling and adjusting of the affairs of the eastern and north-eastern boundaries of the Colony of the Cape of Good Hope on the one part, and the following deputation from the emigrant farmers residing north of the Vaal River:

A.W.J. PRETORIUS, Commandant-General.
H.S. LOMBARD, Landdrost.
W.F. JOUBERT, Commandant-General.
G.J. KRUGER, Commandant.
J.N. GROBBELAAR, Raadslid.
P.E. SCHOLTZ.
P.G. WOLMARANS, Ouderling.
J.A. VAN ASWEGAN, Veld-cornet.
F.J. BOTES, do.
N.J.S. BASSON, do.
J.P. FURSTENBERG, do.
J.P. PRETORIUS.
J.H. GROBBELAAR.
J.M. LEHMAN.
P. SCHUTTE.
J.C. KLOPPERS: on the other part.

The Assistant Commissioners guarantee in the fullest manner, on the part of the British Government, to the emigrant farmers beyond the Vaal River the right to maintain their own affairs, and to govern themselves according to their own laws without any interference on the part of the British Government, and that no

encroachment shall be made by the said Government on the territory beyond to the north of the Vaal River, with the further assurance that the warmest wish of the British Government is to promote peace, free trade, and friendly intercourse with the emigrant farmers now inhabiting or who hereafter may inhabit that country, it being understood that this system of non-interference is binding upon both parties.

Should any misunderstanding hereafter arise as to the true meaning of the words "the Vaal River," this question in so far as regards the line from the source of that river over the Drakenberg shall be settled and adjusted by Commissioners chosen by both parties.

Her Majesty's Assistant Commissioners hereby disclaim all alliances whatever and with whomsoever of the coloured nations to the north of the Vaal River.

It is agreed that no slavery is or shall be permitted or practised in the country to the north of the Vaal River by the emigrant farmers.

Mutual facilities and liberties shall be afforded to traders and travellers on both sides of the Vaal River, it being understood that every waggon containing ammunition and firearms coming from the south side of the Vaal River shall produce a certificate signed by a British magistrate or other functionary duly authorised to grant such, and which Shall state the quantities of such articles contained in said waggon to the nearest magistrate north of the Vaal River, who shall act in the case as the regulations of the emigrant farmers direct. It is agreed that no objection shall be made by any British authority against the emigrant Boers purchasing their supplies of ammunition in any of the British Colonies and possessions of South Africa, it being mutually understood that all trade in ammunition with the native tribes is prohibited both by the British Government and the emigrant farmers on both sides of the Vaal River.

It is agreed that so far as possible all criminals and other guilty parties who may fly from justice

either way across the Vaal River shall be mutually delivered up if such should be required, and that the British courts as well as those of the emigrant farmers shall be mutually open to each other for all legitimate processes, and that summonses for witnesses sent either way across the Vaal River shall be backed by the magistrates, on each side of the same respectively, to compel the attendance of such witnesses when required.

It is agreed that certificates of marriage issued by the proper authorities of the emigrant farmers shall be held valid and sufficient to entitle children of such marriages to receive portions accruing to them in any British Colony or possession in South Africa.

It is agreed that any and every person now in possession of land, and residing in British territory, shall have free right and power to sell his said property and remove unmolested across the Vaal River, and *vice versa*, it being distinctly understood that this arrangement does not comprehend criminals or debtors, without providing for the payment of their just and lawful debts.

This done and signed at Sand River aforesaid, this 17th day of January, 1852.

(Signed) A.W.J. PRETORIUS, Comdt.-General.

H.S. LOMBARD, Landdrost.
W.F. JOUBERT, Commandant-General.
G.J. KRUGER, Commandant.
W.I. HOGGE, Assistant Commissioner.
C. MOSTYN OWEN,
Assistant Commissioner.
J.N. GROBBELAAR, R.L.
P.E. SCHOLTZ.
P.G. WOLMARANS, Ouderling.
J.A. VAN ASWEGAN, Veld Cornet.
F.J. BOTES.
N.J.S. BASSON, Veld Cornet.
J.P. FURSTENBERG, Veld Cornet.
J.P. PRETORIUS.
J.H. GROBBELAAR.
J.M. LEHMAN.
P. SCHUTTE.

J.C. KLOPPERS.

In presence of--

(Signed) JOHN BURNET,

Clerk to the Civil Commissioner of Winburg.

(Signed) J.H. VISAGIE, Secretary.

CONVENTION OF PRETORIA, 1881

Preamble. Her Majesty's Commissioners for the Settlement of the Transvaal territory, duly appointed as such by a Commission passed under the Royal Sign Manual and Signet, bearing date the 5th of April, 1881, do hereby undertake and guarantee on behalf of Her Majesty that, from and after the 8th day of August, 1881, complete self-government, subject to the suzerainty of Her Majesty, her heirs and successors, will be accorded to the inhabitants of the Transvaal territory, upon the following terms and conditions, and subject to the following reservations and limitations:-

Article I. The said territory, to be hereinafter called the Transvaal State, will embrace the land lying between the following boundaries, to wit: [here follow three pages in print defining boundaries.]

Article 2. Her Majesty reserves to herself, her heirs and successors--(*a*), the right from time to time to appoint a British Resident in and for the said State, with such duties and functions as are hereinafter defined; (*b*), the right to move troops through the said State in time of war, or in case of the apprehension of immediate war between the Suzerain Power and any Foreign State or Native Tribe in South Africa; and (*c*) the control of the external relations of the said State, including the conclusion of treaties and the conduct of diplomatic intercourse with Foreign Powers, such intercourse to be carried on through Her Majesty's diplomatic and consular officers abroad.

Article 3. Until altered by the Volksraad, or other competent authority, all laws, whether passed before or after the Annexation of the Transvaal

territory to Her Majesty's dominions, shall, except in so far as they are inconsistent with or repugnant to the provisions of this Convention, be and remain in force in the said State in so far as they shall be applicable thereto, provided that no future enactment especially affecting the interest of natives shall have any force or effect in the said State, without the consent of Her Majesty, her heirs and successors, first had and obtained and signified to the Government of the said State through the British Resident, provided further that in no case will the repeal or amendment of any laws enacted since the Annexation have a retrospective effect, so as to invalidate any acts done or liabilities incurred by virtue of such laws.

Article 4. On the 8th day of August, 1881, the Government of the said State, together with all rights and obligations thereto appertaining, and all State property taken over at the time of Annexation, save and except munitions of war, will be handed over to Messrs. Stephanus Johannes Paulus Kruger, Martinus Wessel Pretorius, and Petrus Jacobus Joubert, or the survivor or survivors of them, who will forthwith cause a Volksraad to be elected and convened, and the Volksraad, thus elected and convened, will decide as to the further administration of the Government of the said State.

Article 5. All sentences passed upon persons who may be convicted of offences contrary to the rules of civilised warfare committed during the recent hostilities will be duly carried out, and no alteration or mitigation of such sentences will be made or allowed by the Government of the Transvaal State without Her Majesty's consent conveyed through the British Resident. In case there shall be any prisoners in any of the gaols of the Transvaal State whose respective sentences of imprisonment have been remitted in part by Her Majesty's Administrator or other officer administering the Government, such remission will be recognised and acted upon by the future Government of the said State.

Article 6. Her Majesty's Government will make due compensation for all losses or damage

sustained by reason of such acts as are in the 8th Article hereinafter specified, which may have been committed by Her Majesty's forces during the recent hostilities, except for such losses or damage as may already have been compensated for; and the Government of the Transvaal State will make due compensation for all losses or damage sustained by reason of such acts as are in the 8th Article hereinafter specified, which may have been committed by the people who were in arms against Her Majesty during the recent hostilities, except for such losses or damages as may already have been compensated for.

Article 7. The decision of all claims for compensation, as in the last preceding article mentioned, will be referred to a Sub-Commission, consisting of the Honourable George Hudson, the Honourable Jacobus Petrus de Wet, and the Honourable John Gilbert Kotze. In case one or more of such Sub-Commissioners shall be unable or unwilling to act the remaining Sub-Commissioner or Sub-Commissioners will, after consultation with the Government of the Transvaal State, submit for the approval of Her Majesty's High Commissioner the names of one or more persons to be appointed by them to fill the place or places thus vacated. The decision of the said Sub-Commissioners, or of a majority of them, will be final. The said Sub-Commissioners will enter upon and perform their duties with all convenient speed. They will, before taking evidence or ordering evidence to be taken in respect of any claim, decide whether such claim can be entertained at all under the rules laid down in the next succeeding Article. In regard to claims which can be so entertained the Sub-Commissioners will, in the first instance, afford every facility for an amicable arrangement as to the amount payable in respect of any claim, and only in cases in which there is no reasonable ground for believing that an immediate amicable arrangement can be arrived at will they take evidence or order evidence to be taken. For the purpose of taking evidence and reporting thereon, the Sub-Commissioners may appoint Deputies, who will, without delay, submit records of the evidence and their reports to the

Sub-Commissioners. The Sub-Commissioners will arrange their sittings and the sittings of their Deputies in such a manner as to afford the earliest convenience to the parties concerned and their witnesses. In no case will costs be allowed to either side, other than the actual and reasonable expenses of witnesses whose evidence is certified by the Sub-Commissioners to have been necessary. Interest will not run on the amount of any claim, except as is hereinafter provided for. The said Sub-Commissioners will forthwith, after deciding upon any claim, announce their decision to the Government against which the award is made and to the claimant. The amount of remuneration payable to the Sub-Commissioners and their Deputies will be determined by the High Commissioners. After all the claims have been decided upon, the British Government and the Government of the Transvaal State will pay proportionate shares of the said remuneration and of the expenses of the Sub-Commissioners and their Deputies, according to the amount awarded against them respectively.

Article 8. For the purpose of distinguishing claims to be accepted from those to be rejected, the Sub-Commissioners will be guided by the following rules, viz.:--Compensation will be allowed for losses or damage sustained by reason of the following acts committed during the recent hostilities, viz., (*a*), commandering, seizure, confiscation, or destruction of property, or damage done to property; (*b*), violence done or threats used by persons in arms. In regard to acts under (*a*), compensation will be allowed for direct losses only. In regard to acts falling under (*b*), compensation will be allowed for actual losses of property, or actual injury to the same proved to have been caused by its enforced abandonment. No claims for indirect losses, except such as are in this Article specially provided for, will be entertained. No claims which have been handed in to the Secretary of the Royal Commission after the 1st day of July, 1881, will be entertained, unless the Sub-Commissioners shall be satisfied that the delay was reasonable. When claims for loss of property are considered, the Sub-Commissioners will

require distinct proof of the existence of the property, and that it neither has reverted nor will revert to the claimant.

Article 9. The Government of the Transvaal State will pay and satisfy the amount of every claim awarded against it within one month after the Sub-Commissioners shall have notified their decision to the said Government, and in default of such payment the said Government will pay interest at the rate of six per cent. per annum from the date of such default; but Her Majesty's Government may at any time before such payment pay the amount, with interest, if any, to the claimant in satisfaction of his claim, and may add the sum thus paid to any debt which may be due by the Transvaal State to Her Majesty's Government, as hereinafter provided for.

Article 10. The Transvaal State will be liable for the balance of the debts for which the South African Republic was liable at the date of Annexation, to wit, the sum of £48,000 in respect of the Cape Commercial Bank Loan, and £85,667 in respect to the Railway Loan, together with the amount due on 8th August, 1881, on account of the Orphan Chamber Debt, which now stands at £22,200, which debts will be a first charge upon the revenues of the State. The Transvaal State will, moreover, be liable for the lawful expenditure lawfully incurred for the necessary expenses of the Province since the Annexation, to wit, the sum of £265,000, which debt, together with such debts as may be incurred by virtue of the 9th Article, will be second charge upon the revenues of the State.

Article 11. The debts due as aforesaid by the Transvaal State to Her Majesty's Government will bear interest at the rate of three and a-half per cent., and any portion of such debt as may remain unpaid at the expiration of twelve months from the 8th August, 1881, shall be repayable by a payment for interest and sinking fund of six pounds and ninepence per cent, per annum, which will extinguish the debt in twenty-five years. The said payment of six pounds and ninepence per £100 shall be payable half yearly in British currency on the 8th February and 8th

August in each year. Provided always that the Transvaal State shall pay in reduction of the said debt the sum of £100,000 within twelve months of the 8th August, 1881, and shall be at liberty at the close of any half year to pay off the whole or any portion of the outstanding debt.

Article 12. All persons holding property in the said State on the 8th day of August, 1881, will continue after the said date to enjoy the rights of property which they have enjoyed since the Annexation. No person who has remained loyal to Her Majesty during the recent hostilities shall suffer any molestation by reason of his loyalty, or be liable to any criminal prosecution or civil action for any part taken in connexion with such hostilities, and all such persons will have full liberty to reside in the country, with enjoyment of all civil rights, and protection for their persons and property.

Article 13. Natives will be allowed to acquire land, but the grant or transfer of such land will, in every case, be made to and registered in the name of the Native Location Commission, hereinafter mentioned, in trust for such natives.

Article 14. Natives will be allowed to move as freely within the country as may be consistent with the requirements of public order, and to leave it for the purpose of seeking employment elsewhere or for other lawful purposes, subject always to the pass laws of the said State, as amended by the Legislature of the Province, or as may hereafter be enacted under the provisions of the Third Article of this Convention.

Article 15. There will continue to be complete freedom of religion and protection from molestation for all denominations, provided the same be not inconsistent with morality and good order, and no disability shall attach to any person in regard to rights of property by reason of the religious opinions which he holds.

Article 16. The provisions of the Fourth Article of the Sand River Convention are hereby reaffirmed, and no slavery or apprenticeship

partaking of slavery will be tolerated by the Government of the said State.

Article 17. The British Resident will receive from the Government of the Transvaal State such assistance and support as can by law be given to him for the due discharge of his functions; he will also receive every assistance for the proper care and preservation of the graves of such of Her Majesty's forces as have died in the Transvaal, and if need be, for the expropriation of land for the purpose.

Article 18. The following will be the duties and functions of the British Resident:--

Sub-section 1. He will perform duties and functions analogous to those discharged by a Charge d'Affaires and Consul-General.

Sub-section 2. In regard to natives within the Transvaal State he will (*a*) report to the High Commissioner, as representative of the Suzerain, as to the working and observance of the provisions of this Convention; (*b*), report to the Transvaal authorities any cases of ill-treatment of natives or attempts to incite natives to rebellion that may come to his knowledge; (*c*), use his influence with the natives in favour of law and order; and (*d*), generally perform such other duties as are by this Convention entrusted to him, and take such steps for the protection of the person and property of natives as are consistent with the laws of the land.

Sub-section 3. In regard to natives not residing in the Transvaal (*a*) he will report to the High Commissioner and the Transvaal Government any encroachments reported to him as having been made by Transvaal residents upon the land of such natives, and in case of disagreement between the Transvaal Government and the British Resident as to whether an encroachment has been made, the decision of the Suzerain will be final; (*b*) the British Resident will be the medium of communication with native chiefs outside the Transvaal, and, subject to the approval of the High Commissioner, as representing the Suzerain, he will control the conclusion of treaties with them; and (*c*) he will

arbitrate upon every dispute with Transvaal residents and natives outside the Transvaal (as to acts committed beyond the boundaries of the Transvaal) which may be referred to him by the parties interested.

Sub-section 4. In regard to communications with foreign powers, the Transvaal Government will correspond with Her Majesty's Government through the British Resident and the High Commissioner.

Article 19. The Government of the Transvaal State will strictly adhere to the boundaries defined in the First Article of this Convention, and will do its utmost to prevent any of its inhabitants from making any encroachment upon lands beyond the said State. The Royal Commission will forthwith appoint a person who will beacon off the boundary line between Ramatlabama and the point where such line first touches Griqualand West boundary, midway between the Vaal and Hart Rivers; the person so appointed will be instructed to make an arrangement between the owners of the farms Grootfontein and Valleifontein on the one hand, and the Barolong authorities on the other, by which a fair share of the water supply of the said farms shall be allowed to flow undisturbed to the said Barolongs.

Article 20. All grants or titles issued at any time by the Transvaal Government in respect of land outside the boundary of Transvaal State, as defined, Article 1, shall be considered invalid and of no effect, except in so far as any such grant or title relates to land that falls within the boundary of the Transvaal State, and all persons holding any such grant so considered invalid and of no effect will receive from the Government of the Transvaal State such compensation either in land or in money as the Volksraad shall determine. In all cases in which any native chiefs or other authorities outside the said boundaries have received any adequate consideration from the Government of the former South African Republic for land excluded from the Transvaal by the First Article of this Convention, or where permanent improvements have been made on the

land, the British Resident will, subject to the approval of the High Commissioner, use his influence to recover from the native authorities fair compensation for the loss of the land thus excluded, and of the permanent improvement thereon.

Article 21. Forthwith, after the taking effect of this Convention, a Native Location Commission will be constituted, consisting of the President, or in his absence the Vice-President, of the State, or some one deputed by him, the Resident, or some one deputed by him, and a third person to be agreed upon by the President or the Vice-President, as the case may be, and the Resident, and such Commission will be a standing body for the performance of the duties hereinafter mentioned.

Article 22. The Native Location Commission will reserve to the native tribes of the State such locations as they may be fairly and equitably entitled to, due regard being had to the actual occupation of such tribes. The Native Location Commission will clearly define the boundaries of such locations, and for that purpose will, in every instance, first of all ascertain the wishes of the parties interested in such land. In case land already granted in individual titles shall be required for the purpose of any location, the owners will receive such compensation either in other land or in money as the Volksraad shall determine. After the boundaries of any location have been fixed, no fresh grant of land within such location will be made, nor will the boundaries be altered without the consent of the Location Commission. No fresh grants of land will be made in the districts of Waterberg, Zoutpansberg, and Lydenburg until the locations in the said districts respectively shall have been defined by the said Commission.

Article 23. If not released before the taking effect of this Convention, Sikukuni, and those of his followers who have been imprisoned with him, will be forthwith released, and the boundaries of his location will be defined by the Native Location Commission in the manner indicated in the last preceding Article.

Article 24. The independence of the Swazies within the boundary line of Swaziland, as indicated in the First Article of this Convention, will be fully recognised.

Article 25. No other or higher duties will be imposed on the importation into the Transvaal State of any article, the produce or manufacture of the dominions and possessions of Her Majesty, from whatever place arriving, than are or may be payable on the like article, the produce or manufacture of any other country, nor will any prohibition be maintained or imposed on the importation of any article, the produce or manufacture of the dominions and possessions of Her Majesty, which shall not equally extend to the importation of the like articles, being the produce or manufacture of any other country.

Article 26. All persons other than natives conforming themselves to the laws of the Transvaal State (*a*) will have full liberty with their families to enter, travel, or reside in any part of the Transvaal State; (*b*) they will be entitled to hire or possess houses, manufactures, warehouses, shops, and premises; (*c*) they may carry on their commerce either in person or by any agents whom they may think to employ; (*d*) they will not be subject in respect of their persons or property, or in respect of their commerce or industry, to any taxes, whether general or local, other than those which are or may be imposed upon Transvaal citizens.

Article 27. All inhabitants of the Transvaal shall have free access to the Courts of Justice for the protection and defence of their rights.

Article 28. All persons other than natives who established their domicile in the Transvaal between the 12th day of April, 1877, and the date when this Convention conies into effect, and who shall within twelve months after such last-mentioned date have their names registered by the British Resident, shall be exempt from all compulsory military service whatever. The Resident shall notify such registration to the Government of the Transvaal State.

Article 29. Provision shall hereafter be made by a separate instrument for the mutual extradition of criminals, and also for the surrender of deserters from Her Majesty's forces.

Article 30. All debts contracted since the Annexation will be payable in the same currency in which they may have been contracted; all uncancelled postage and other revenue stamps issued by the Government since the Annexation will remain valid, and will be accepted at their present value by the future Government of the State; all licenses duly issued since the Annexation will remain in force during the period for which they may have been issued.

Article 31. No grants of land which may have been made, and no transfer of mortgage which may have been passed since the Annexation, will be invalidated by reason merely of their having been made or passed since that date. All transfers to the British Secretary for Native Affairs in trust for natives will remain in force, the Native Location Commission taking the place of such Secretary for Native Affairs.

Article 32. This Convention will be ratified by a newly-elected Volksraad within the period of three months after its execution, and in default of such ratification this Convention shall be null and void.

Article 33. Forthwith, after the ratification of this Convention, as in the last preceding Article mentioned, all British troops in Transvaal territory will leave the same, and the mutual delivery of munitions of war will be carried out.

Articles end. Here will follow signatures of Royal Commissioners; then the following, to precede signatures of triumvirate.

We, the undersigned, Stephanus Johannes Paulus Krugen Martinus Wessel Pretorius, and Petrus Jacobus Joubert, as representatives of the Transvaal Burghers, do hereby agree to all the above conditions, reservations, and limitations under which self-government has been restored to the inhabitants of the Transvaal territory, subject to the suzerainty of Her Majesty, her heirs and successors, and we agree to accept the

Government of the said territory, with all rights and obligations thereto appertaining, on the 8th day of August; and we promise and undertake that this Convention shall be ratified by a newly-elected Volksraad of the Transvaal State within three months from this date.

LONDON CONVENTION, 1884

A Convention Between Her Majesty The Queen Of The United Kingdom Of Great Britain And Ireland And The South African Republic.

Whereas the Government of the Transvaal State, through its Delegates, consisting of Stephanus Johannes Paulus Kruger, President of the said State, Stephanus Jacobus Du Toit, Superintendent of Education, and Nicholas Jacobus Smit, a member of the Volksraad, have represented that the Convention signed at Pretoria on the 3rd day of August, 1881, and ratified by the Volksraad of the said State on the 25th October, 1881, contains certain provisions which are inconvenient, and imposes burdens and obligations from which the said State is desirous to be relieved, and that the south-western boundaries fixed by the said Convention should be amended, with a view to promote the peace and good order of the said State, and of the countries adjacent thereto; and whereas Her Majesty the Queen of the United Kingdom of Great Britain and Ireland has been pleased to take the said representations into consideration: Now, therefore, Her Majesty has been pleased to direct, and it is hereby declared, that the following articles of a new Convention, signed on behalf of Her Majesty by Her Majesty's High Commissioner in South Africa, the Right Honourable Sir Hercules George Robert Robinson, Knight Grand Cross of the Most Distinguished Order of Saint Michael and Saint George, Governor of the Colony of the Cape of Good Hope, and on behalf of the Transvaal State (which shall hereinafter be called the South African Republic) by the above-named Delegates, Stephanus Johannes Paulus Kruger, Stephanos Jacobus Du Toit, and Nicholas Jacobus Smit, shall, when ratified by the Volksraad of the South African Republic, be

substituted for the articles embodied in the Convention of 3rd August, 1881; which latter, pending such ratification, shall continue in full force and effect.

Article 1. The Territory of the South African Republic will embrace the land lying between the following boundaries, to wit:--

Beginning from the point where the north-eastern boundary line of Griqualand meets the Vaal River, up the course of the Vaal River to the point of junction with it of the Klip River; thence up the course of the Klip River to the point of junction with it of the stream called Gansvlei; thence up the Gansvlei stream to its source in the Drakensberg; thence to a beacon in the boundary of Natal, situated immediately opposite and close to the source of the Gansvlei stream; thence in a north-easterly direction along the ridge of the Drakensberg, dividing the waters flowing into the Gansvlei stream from the waters flowing into the sources of the Buffalo, to a beacon on a point where this mountain ceases to be a continuous chain; thence to a beacon on a plain to the north-east of the last described beacon; thence to the nearest source of a small stream called "Division Stream"; thence down this division stream, which forms the southern boundary of the farm Sandfontein, the property of Messrs. Meek, to its junction with the Coldstream; thence down the Coldstream to its junction with the Buffalo or Umzinyati River; thence down the course of the Buffalo River to the junction with it of the Blood River; thence up the course of the Blood River to the junction with it of Lyn Spruit or Dudusi; thence up the Dudusi to its source; thence 80 yards to Bea. I., situated on a spur of the N'Qaba-Ka-hawana Mountains; thence 80 yards to the N'Sonto River; thence down the N'Sonto River to its junction with the White Umvulozi River; thence up the White Umvulozi River to a white rock where it rises; thence 800 yards to Kambula Hill (Bea. II.); thence to the source of the Pemvana River, where the road from Kambula Camp to Burgers' Lager crosses; thence down the Pemvana River to its junction with the Bivana River; thence down the Bivana River to its

junction with the Pongolo River; thence down the Pongolo River to where it passes through the Libombo Range; thence along the summits of the Libombo Range to the northern point of the N'Yawos Hill in that range (Bea. XVI.); thence to the northern peak of the Inkwakweni Hills (Bea. XV.); thence to Sefunda, a rocky knoll detached from and to the north-east end of the White Koppies, and to the south of the Musana River (Bea. XIV.); thence to a point on the slope near the crest of Matanjeni, which is the name given to the south-eastern portion of the Mahamba Hills (Bea. XIII.); thence to the N'gwangwana, a double-pointed hill (one point is bare, the other wooded, the beacon being on the former) on the left bank of the Assegai River and upstream of the Dadusa Spruit (Bea. XII.); thence to the southern point of Bendita, a rocky knoll in a plain between the Little Hlozane and Assegaai Rivers (Bea. XI.); thence to the highest point of Suluka Hill, round the eastern slopes of which flows the Little Hlozane, also called Ludaka or Mudspruit (Bea. X.); thence to the beacon known as "Viljoen's," or N'Duko Hill; thence to a point north-east of Derby House, known as Magwazidili's Beacon; thence to the Igaba, a small knoll on the Ungwempisi River, also called "Joubert's Beacon," and known to the natives as "Piet's Beacon" (Bea. IX.); thence to the highest point of the N'Dhlovudwalili or Houtbosch, a hill on the northern bank of the Umqwempisi River (Bea. VIII.); thence to a beacon on the only flat-topped rock, about 10 feet high and about 30 yards in circumference at its base, situated on the south side of the Lamsamane range of hills, and overlooking the valley of the great Usuto River, this rock being 45 yards north of the road from Camden and Lake Banagher to the forests on the Usuto River (sometimes called Sandhlanas Beacon) (Bea. VII.); thence to the Gulungwana or Ibubulundi, four smooth bare hills, the highest in that neighbourhood, situated to the south of the Umtuli River (Bea. VI.); thence to a flat-topped rock, 8 feet high, on the crest of the Busuku, a low rocky range south-west of the Impulazi River (Bea. V.); thence to a low bare hill on the north-east of and overlooking the Impulazi

River, to the south of it being a tributary of the Impulazi, with a considerable waterfall, and the road from the river passing 200 yards to the north-west of the beacon (Bea. IV.); thence to the highest point of the Mapumula range, the watershed of the Little Usuto River on the north, and the Umpulazi River on the south, the hill, the top of which is a bare rock, falling abruptly towards the Little Usuto (Bea. III.); thence to the western point of a double-pointed rocky hill, precipitous on all sides, called Makwana, its top being a bare rock (Bea. II.); thence to the top of a rugged hill of considerable height falling abruptly to the Komati River, this hill being the northern extremity of the Isilotwani range, and separated from the highest peak of the range Inkomokazi (a sharp cone) by a deep neck (Bea. I.). (On a ridge in the straight line between Beacons I. and II. is an intermediate beacon). From Beacon I. the boundary runs to a hill across the Komati River, and thence along the crest of the range of hills known as the Makongwa, which runs north-east and south-west, to Kamhlubano Peak; thence in a straight line to Mananga, a point in the Libombo Range, and thence to the nearest point in the Portuguese frontier on the Libombo Range; thence along the summits of the Libombo Range to the middle of the poort where the Komati River passes through it, called the lowest Komati Poort; thence in a north by easterly direction to Pokioens Kop, situated on the north side of the Olifant's River, where it passes through the ridges; thence about north north-west to the nearest point of Serra di Chicundo; and thence to the junction of the Pafori River with the Limpopo or Crocodile River; thence up the course of the Limpopo River to the point where the Marique River falls into it. Thence up the course of the Marique River to "Derde Poort," where it passes through a low range of hills, called Sikwane, a beacon (No. 10) being erected on the spur of said range near to and westward of the banks of the river; thence in a straight line through this beacon to a beacon (No. 9) erected on the top of the same range, about 1,700 yards distant from beacon No. 10; thence in a straight line to a beacon (No. 8) erected on the highest point of an isolated hill

called Dikgagong, or "Wildebeest Kop," situated south-eastward of and about 3-1/3 miles distant from a high hill called Moripe; thence in a straight line to a beacon (No. 7) erected on the summit of an isolated hill or "koppie" forming the eastern extremity of the range of hills called Moshweu, situated to the northward of and about two miles distant from a large isolated hill called Chukudu-Chochwa; thence in a straight line to a beacon (No. 6) erected on the summit of a hill forming part of the same range, Moshweu; thence in a straight line to a beacon (No. 5) erected on the summit of a pointed hill in the same range; thence in a straight line to a beacon (No. 4) erected on the summit of the western extremity of the same range; thence in a straight line to a beacon (No. 3) erected on the summit of the northern extremity of a low, bushy hill, or "koppie," near to and eastward of the Notwane River; thence in a straight line to the junction of the stream called Metsi-Mash wane with the Notwane River (No. 2); thence up the course of the Notwane River to Sengoma, being the Poort where the river passes through the Dwarsberg Range; thence, as described in the Award given by Lieutenant-Governor Keate, dated October 17, 1871, by Pitlanganyane (narrow place), Deboaganka or Schaapkuil, Sibatoul (bare place), and Maclase to Ramatlabama, a pool on a spruit north of the Molopo River. From Ramatlabama the boundary shall run to the summit of an isolated hill, called Leganka; thence in a straight line, passing north-east of a Native Station, near "Buurman's Drift," on the Molopo River, to that point on the road from Mosiega to the old drift, where a road turns out through the Native Station to the new drift below; thence to "Buurman's Old Drift"; thence in a straight line to a marked and isolated clump of trees near to and north-west of the dwelling-house of C. Austin, a tenant on the farm "Vleifontein," No. 117; thence in a straight line to the north-western corner beacon of the farm "Mooimeisjesfontein," No. 30; thence along the western line of the said farm "Mooimeisjesfontein," and in prolongation thereof, as far as the road leading from "Ludik's Drift," on the Molopo River, past the homestead

of "Mooimeisjesfontein" towards the Salt Pans near Harts River; thence along the said road, crossing the direct road from Polfontein to Sehuba, and until the direct road from Polfontein to Lotlakane or Pietfontein is reached; thence along the southern edge of the last-named road towards Lotlakane until the first garden grounds of that station is reached; thence in a south-westerly direction, skirting Lotlakane, so as to leave it and all its garden ground in native territory, until the road from Lotlakane to Kunana is reached; thence along the east side, and clear of that road towards Kunana, until the garden grounds of that station are reached; thence, skirting Kunana, so as to include it and all its garden ground, but no more, in the Transvaal, until the road from Kunana to Mamusa is reached; thence along the eastern side and clear of the road towards Mamusa, until a road turns out towards Taungs; thence along the eastern side and clear of the road towards Taungs, till the line of the district known as "Stellaland" is reached, about 11 miles from Taungs; thence along the line of the district Stellaland to the Harts River, about 24 miles below Mamusa; thence across Harts River to the junction of the roads from Monthe and Phokwane; thence along the western side and clear of the nearest road towards "Koppie Enkel," an isolated hill about 36 miles from Mamusa, and about 18 miles north of Christiana, and to the summit of the said hill; thence in a straight line to that point on the north-east boundary of Griqualand West as beaconed by Mr. Surveyor Ford, where two farms, registered as Nos. 72 and 75, do meet, about midway between the Vaal and Harts Rivers, measured along the said boundary of Griqualand West; thence to the first point where the north-east boundary of Griqualand West meets the Vaal River.

Article 2. The Government of the South African Republic will strictly adhere to the boundaries defined in the first Article of this Convention, and will do its utmost to prevent any of its inhabitants from making any encroachments upon lands beyond the said boundaries. The

Government of the South African Republic will appoint Commissioners upon the eastern and western borders whose duty it will be strictly to guard against irregularities and all trespassing over the boundaries. Her Majesty's Government will, if necessary, appoint Commissioners in the native territories outside the eastern and western borders of the South African Republic to maintain order and prevent encroachments.

Her Majesty's Government and the Government of the South African Republic will each appoint a person to proceed together to beacon off the amended south-west boundary as described in Article 1 of this Convention; and the President of the Orange Free State shall be requested to appoint a referee to whom the said persons shall refer any questions on which they may disagree respecting the interpretation of the said Article, and the decision of such referee thereon shall be final. The arrangement already made, under the terms of Article 19 of the Convention of Pretoria of the 3rd August, 1881, between the owners of the farms Grootfontein and Valleifontein on the one hand, and the Barolong authorities on the other, by which a fair share of the water supply of the said farms shall be allowed to flow undisturbed to the said Barolongs, shall continue in force.

Article 3. If a British officer is appointed to reside at Pretoria or elsewhere within the South African Republic to discharge functions analagous to those of a Consular officer he will receive the protection and assistance of the Republic.

Article 4. The South African Republic will conclude no treaty or engagement with any State or nation other than the Orange Free State, nor with any native tribe to the eastward or westward of the Republic, until the same has been approved by Her Majesty the Queen.

Such approval shall be considered to have been granted if Her Majesty's Government shall not, within six months after receiving a copy of such treaty (which shall be delivered to them immediately upon its completion), have notified

that the conclusion of such treaty is in conflict with the interests of Great Britain or of any of Her Majesty's possessions in South Africa.

Article 5. The South African Republic will be liable for any balance which may still remain due of the debts for which it was liable at the date of Annexation, to wit, the Cape Commercial Bank Loan, the Railway Loan, and the Orphan Chamber Debt, which debts will be a first charge upon the revenues of the Republic. The South African Republic will moreover be liable to Her Majesty's Government for £250,000, which will be a second charge upon the revenues of the Republic.

Article 6. The debt due as aforesaid by the South African Republic to Her Majesty's Government will bear interest at the rate of three and a-half per cent, from the date of the ratification of this Convention, and shall be repayable by a payment for interest and Sinking Fund of six pounds and ninepence per £100 per annum, which will extinguish the debt in twenty-five years. The said payment of six pounds and ninepence per £100 shall be payable half-yearly, in British currency, at the close of each half year from the date of such ratification: Provided always that the South African Republic shall be at liberty at the close of any half year to pay off the whole or any portion of the outstanding debt.

Interest at the rate of three and a-half per cent, on the debt as standing under the Convention of Pretoria shall, as heretofore, be paid to the date of the ratification of this Convention.

Article 7. All persons who held property in the Transvaal on the 8th day of August, 1881, and still hold the same, will continue to enjoy the rights of property which they have enjoyed since the 12th April, 1877. No person who has remained loyal to Her Majesty during the late hostilities shall suffer any molestation by reason of his loyalty; or be liable to any criminal prosecution or civil action for any part taken in connexion with such hostilities; and all such persons will have full liberty to reside in the country, with enjoyment of all civil rights, and protection for their persons and property.

Article 8. The South African Republic renews the declaration made in the Sand River Convention, and in the Convention of Pretoria, that no slavery or apprenticeship partaking of slavery will be tolerated by the Government of the said Republic.

Article 9. There will continue to be complete freedom of religion and protection from molestation for all denominations, provided the same be not inconsistent with morality and good order; and no disability shall attach to any person in regard to rights of property by reason of the religious opinions which he holds.

Article 10. The British Officer appointed to reside in the South African Republic will receive every assistance from the Government of the said Republic in making due provision for the proper care and preservation of the graves of such of Her Majesty's Forces as have died in the Transvaal; and if need be, for the appropriation of land for the purpose.

Article 11. All grants or titles issued at any time by the Transvaal Government in respect of land outside the boundary of the South African Republic, as defined in Article I, shall be considered invalid and of no effect, except in so far as any such grant or title relates to land that falls within the boundary of the South African Republic; and all persons holding any such grant so considered invalid and of no effect will receive from the Government of the South African Republic such compensation, either in land or in money, as the Volksraad shall determine. In all cases in which any Native Chiefs or other authorities outside the said boundaries have received any adequate consideration from the Government of the South African Republic for land excluded from the Transvaal by the first Article of this Convention, or where permanent improvements have been made on the land, the High Commissioner will recover from the native authorities fair compensation for the loss of the land thus excluded, or of the permanent improvements thereon.

Article 12. The independence of the Swazis, within the boundary line of Swaziland, as indicated in the first Article of this Convention, will be fully recognised.

Article 13. Except in pursuance of any treaty or engagement made as provided in Article 4 of this Convention, no other or higher duties shall be imposed on the importation into the South African Republic of any article coming from any part of Her Majesty's dominions than are or may be imposed on the like article coming from any other place or country; nor will any prohibition be maintained or imposed on the importation into the South African Republic of any article coming from any part of Her Majesty's dominions, which shall not equally extend to the like article coming from any other place or country. And in like manner the same treatment shall be given to any article coming to Great Britain from the South African Republic as to the like article coming from any other place or country.

These provisions do not preclude the consideration of special arrangements as to import duties and commercial relations between the South African Republic and any of Her Majesty's colonies or possessions.

Article 14. All persons, other than natives, conforming themselves to the laws of the South African Republic (*a*) will have full liberty, with their families, to enter, travel, or reside in any part of the South African Republic; (*b*), they will be entitled to hire or possess houses, manufactories, warehouses, shops, and premises; (*c*) they may carry on their commerce either in person or by any agents whom they may think fit to employ; (*d*), they will not be subject, in respect of their persons or property, or in respect of their commerce or industry, to any taxes, whether general or local, other than those which are or may be imposed upon citizens of the said Republic.

Article 15. All persons, other than natives, who established their domicile in the Transvaal between the 12th day of April, 1877, and the 8th

August, 1881, and who within twelve months after such last-mentioned date have had their names registered by the British Resident, shall be exempt from all compulsory military service whatever.

Article 16. Provision shall hereafter be made by a separate instrument for the mutual extradition of criminals, and also for the surrender of deserters from Her Majesty's Forces.

Article 17. All debts contracted between the 12th April, 1877, and the 8th August, 1881, will be payable in the same currency in which they may have been contracted.

Article 18. No grants of land which may have been made, and no transfers or mortgages which may have been passed between the 12th April, 1877, and the 8th August, 1881, will be invalidated by reason merely of their having been made or passed between such dates.

All transfers to the British Secretary for Native Affairs in trust for natives will remain in force, an officer of the South African Republic taking the place of such Secretary for Native Affairs.

Article 19. The Government of the South African Republic will engage faithfully to fulfil the assurances given, in accordance with the laws of the South African Republic, to the natives at the Pretoria Pitso by the Royal Commission in the presence of the Triumvirate and with their entire assent (1), as to the freedom of the natives to buy or otherwise acquire land under certain conditions; (2), as to the appointment of a commission to mark out native locations; (3), as to the access of the natives to the courts of law; and (4) as to their being allowed to move freely within the country, or to leave it for any legal purpose, under a pass system.

Article 20. This Convention will be ratified by a Volksraad of the South African Republic within the period of six months after its execution, and in default of such ratification this Convention shall be null and void.

Signed in duplicate in London this 27th day of February, 1884.

(Signed) HERCULES ROBINSON.
(Signed) S.J.P. KRUGER.
(Signed) S.J. DU TOIT.
(Signed) M.J. SMIT.

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